

THE ISLAMIC RULING ON

MUSIC AND SINGING

IN LIGHT OF THE QURAAN, THE SUNNAH,

AND THE CONSENSUS OF OUR PIOUS PREDECESSORS

BY

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PREFACE

All praise is due to Almight God, Allah. We praise Him and seek His help and forgiveness. And we seek refuge in Allah from the evil of our own selves and from our wicked deeds. Whosoever has been guided by Allah, there is none to misguide him. And whoseover has been misguided by Allah, none can guide him. I bear witness that there is no other god except Allah, alone, without partner or associate. And I bear witness that Muhammad is His servant and messenger. May Allah, the Exalted, bestow His peace and blessings on Prophet Muhammad, upon his good and pure family, as well as upon all of the noble companions and upon those who follow them in righteousness until the Day of Reckoning.

Verily, the most truthful speech is the Book of Allah, and the best guidance is the guidance of Muhammad (Allah's blessings and peace be upon him); while the worst affairs are novelties, for every novelty is a blameworthy innovation. Every innovation (in matters of religion) is misguidance and every misguidance is in the Fire.

The legality of music and singing in the Islamic shari'ah (the divinely-revealed law) is an issue which is hotly debated among individuals and scholars in Islamic societies of our present day. Arriving at the correct view requires unbiased, scholarly research of the available literature which must be supported by authentic, decisive proof.

A considerable amount has been said and written both for and against this subject, and the proliferation of doubt and confusion necessitates another more critical, meticulous analysis and assessment of this whole matter, in order for one to come to a clear, decisive conclusion which leaves not the least bit of doubt in the mind of the reader.

In hope of acheiving such a difficult and lofty goal, I have applied a distinctive method which I trust, by Allah's leave, will succeed in achieving these treasured aims and objectives.

Firstly, I analysized and assessed the claims made by differing factions that certain Quraanic verses support or prohibit the legality of the issue at hand. Secondly, I stringently researched the area of pertinent hadeeth literature in order to shed light on the issue as well as to dispel a number of misconceptions about the authenticity of certain traditions. Thirdly, I presented a consensus of the Islamic scholars with special reference to the pious predecessors of the Islamicummah; i.e. the noble companions, the taabi'een, the famous imams and other jurisprudents (fuqahaa). Fourthly, I attempted to explain the infinte wisdom which underlies the ruling of prohibition as ordained by the divinely-revealed shari'ah. Fifthly, I cited examples of exceptions to the general rule of prohibition, as either defined by the authentic sunnah or agreed upon by the scholars. Finally, I presented a synopsis of the shar'iah texts and a conclusion which clarifies the prohibited aspects of music, singing and their adjuncts.

I pray that Allah grants success in this endeavor, accepting it as a work done purely for His sake and bestowing upon us and our brethren in faith, sincerity and guidance to His straight path.

Abu Bilal Mustafa Al-Kanadi
Ramadaan 1406/May 1986

Makkah Al-Mukarramah

ANALYSIS OF QURAANIC TEXTS AND COMMENTARIES

It is vital that one critically assesses the extent to which certain verses of the Quraan allegedly stand as proof for or against the legality of music and singing. Some of those verses which might be misconstrued to indicate that music, singing, dancing etc are permissible, are mentioned first. They are then followed with a sample of verses, which certain scholars have claimed to be proof of prohibition regarding this issue.

VERSES CLAIMED TO INDICATE THE LEGALITY OF MUSIC

The following verses regarding the Psalms of Dawood (upon whom be peace) is case in point.

THE FIRST VERSE:

{And verily,We did favor some of the prophets over others, and toDawood We gave the Psalms.}(*1)

How does this verse purport to be proof for those who claim legality? It is a common misconception of certain Muslims-especially those having a western background or living in the west-that Dawood (peace be upon him)composed the Psalms and sang them to the accompaniment of music.(*2) There are even some commentators of English translations of the Quraan who fall prey to the same error. For example, Abdullah Yusuf Ali comments on this verse saying, "The spiritual gifts with which the Prophets came, may themselves, take different forms according to the needs of the world and the times in which they lived, as judged by the wisdom of God. A striking example here given is the gift of song and music as given to David...(*3) The fact is that the Psalms were not composed by Prophet Dawood (upon whom be Allah's peace and blessings), but rather were revealed to him(*4) by Allah, the exalted, as is clearly stated in the Quraan.(*5) Additionally, nowhere in the Quraan or in the authentic traditions(*6) is there any support for this accompanying the psalms with musical instruments .

In order to properly understand the true nature of the Psalms (Az-Zaboor), one must look to some of the dependable Quraanic commentaries (tafaseer). Ibn Katheer (Allah's mercy be upon him), explains the meaning of the term Az-Zaboor saying, "Az-Zaboor is the name of the book revealed by Allah to Dawood (peace be upon him)."(*7) Al-Aloosi further confirms this saying, "Az-Zaboor is the name of the book sent down to Dawood (upon whom be peace); it was revealed to him gradually, by installments."(*8)

As to the nature of these psalms, Al-Qurtubi states, "Az-Zaboor is the book of Dawood, consisting of one hundred and fifty chapters; however, it contained no rulings of divine law on matters of prohibited or allowed things. Rather, it consisted of words of wisdom and admonishment."(*9) Al-Aaloosi adds to this description that "the Zaboor also contained divine praises and glorification of Allah, (exalted be His praise)."(*10)

Prophet Dawood's captivating, melodious voice was exceedingly beautiful and effective. When he recited the Zaboor, men, jinn, birds and wild animals gathered around him.(*11)

THE SECOND VERSE:

Some ignorant people claim that the following text regarding Prophet Ayyoob(Job), whom Allah tested with various trials and tribulations, permits music and dancing:

{Allah, the Exalted and Mighty, commands His messenger, Muhammad in theQuraan, "And recall Our servant, Ayyoob, when he cried unto his Lord, 'Verily, Satan has afflicted me with distress and suffering.' It was said unto him, 'Strike the ground with your foot; here is a spring for a cool bath and water to drink.'}(*12)

In these verses Allah, the Glorious and Exalted, directs His Prophet, Ayyoob, to strike his foot upon the ground, whereupon a spring came forth. He bathed in its cool, soothing water which healed the disease afflicting the outer surface of his body. He also drank from the spring which removed the illness that afflicted his innermost body. Thus, after putting His faithful servant, Ayyoob, to excruciating tests and trials, Allah Ta'aala judges him to be firm, patient and unwavering in his faith, saying: **{Truly, We found him firm in patience and constancy; how excellent a slave. Verily, he was ever turning in repentance (to his Lord).}**(*13)

Regarding this verse, Al-Qurtubi mentions in his tafseer that certain ignorant ascetics and common Sufis have sought proof for the permissibility of dancing in Allah's saying to Ayyoob, **{Strike the ground with your foot.}**(*14) He relates the reply of some scholars to such baseless claims. Abul-Faraj Ibnul-Jowzi says, "This is an empty argument. Had there been a command for the striking of the foot as an act of joy, there might be some slight excuse for such a view; however, the fact is that the command for striking the ground with the foot was in order to get the spring water to flow from it"(*15) Ibn Aqeel gives a further rebuttal by questioning, "How is the proof of the legality of dancing deduced from the simple fact that an afflicted person is ordered as a means of miraculous healing to strike the earth with his foot in order to cause water to spring forth?"(*16) He further suggests that if such reasoning were correct, "It would also be right to interpret Allah's saying to Moosa, **{Strike the stone with your staff.}**(*17) as a proof for the legality of striking [rhythmically] upon [stuffed] cushions with sticks!(*18) We seek refuge in Allah from such fraudulent playing with the Shari'ah."(*19)

Obviously, one could make endless far-fetched analogies between certain verses of the Quraan and various, false, preconceived notions which one might hope to substantiate. May Allah protect us from such evil manipulation of the divinely-revealed law.

It is essential at this point to mention that if it were established - for the sake of argument - that Dawood (peace be upon him) did in fact have musical accompaniment to his psalms; such a thing would not be proof that music, singing to musical accompaniment, etc. are followed in Islam. This is substantiated by the agreed upon principle from the science of usoolul fiqh(*20) which states that the revealed law (shar'un) of those who came before us(*21) is considered applicable insofar as such law is not explicitly abrogated by the texts of the final divine;y-revealed law of Islam as embodied in the Quraan and the authentic sunnah.(*22) However, as will be presented later, there is abundant authentic proof from the Islamic Shari'ah which prohibits music. Therefore, this prohibition by the Islamic Shari'ah abrogates all previously-revealed law and nullifies any support it may have made for the legality of music. With this in mind, it becomes abundantly clear that the attempts of certain

persons to use such previously-mentioned verses as proof for the permissibility of music are baseless and untenable .

QURAANIC VERSES ALLEGED TO INDICATE PROHIBITION OF MUSIC

In his tafseer, Imam Al-Qurtubi mentions that there are three verses which have been used by the ulaama as proof of the contempt for and the prohibition of singing.

THE FIRST VERSE:

The first of these verses appears in Soorah An-Najm(*23) as follows:

Allah, the Blessed and Exalted, addresses the disbelievers from the tribe of Quraysh, **{Do you marvel at this statement, and laugh and do not weep, while you amuse yourselves [proudly] in vanities? Rather, prostrate before Allah and worship Him.}**

The important phrase is Allah's saying, **{Wa antum saamidoon} ("while you amuse yourselves [proudly] in vanities).** Due to the root 'samada' having various interpretations in the Arabic language, the scholars differ about this phrase's meaning. As a result, different interpretations are given by the commentators of the Quraan, such as the companions, taabi'een and later scholars of tafseer.

Al-Qurtubi refers to the various derived meanings mentioned by the linguists (*24). Among the meanings understood from the root' samada' is the raising of one's head up proudly or in disdain. When conjugated, the noun form 'sumood' means leisure or idle play, while 'saamid' (the doer of the action) means one who plays idly with musical instruments or other objects of play. It is said to the singing girl, "Asmideena!"("Amuse us with your singing!") However, 'saamid' can also designate one who lifts his head in pride and haughtiness, as mentioned in the ancient dictionary, As-Sihah.(*25) A further meaning derived from the root 'samada' is the notion of standing motion less or idle. This was mentioned by Al-Mathdawi,(*26) one of the famous grammarians, but he added that the common, established meaning in the language points to the idea of turning away by making fun and amusement. Finally, Al-Mubarrid mentions the meaning of 'saamidoon' saying, "Saamidoon means khaamidoon [silent, motionless]."(*27)

At-Tabari mentions in detail the various narrations traced to the sahaabah and taabi'een.(*28) According to Ibn Abbaas, the word 'saamidoon' in this verse refers to the mushrikeen's habit of singing and playing noisily whenever they heard the Quraan being recited, in order to drown out the reciter's voice so that others wouldn't hear it.(*29) This meaning is used by the people of Yemen. Ibn Abbas also indicated a second, more general meaning for the word 'saamidoon'; namely, that they were playing and amusing themselves and making light of the affair. The same opinion was held by some taabi'een such as Ikrimah and Ad-Dahhaak. A third meaning given by Ibn Abbaas is that they held their heads up in pride. Other tabi'een have indicated certain meanings similar to the preceding linguists' views. Thus, Qataadah reports Al-Hasan as saying that 'samidoon' is the mushrikeen's being inattentive and negligent. Mujaahid says it indicates their being in a state of extreme anger or rage.

Clearly, the term 'saamidoon' has various possible meanings, e.g that those referred to were singing noisily and amusing themselves with music and idle play, that they were holding their heads in pride, or that they were exhibiting extreme anger and hatred for what they heard of the Quraan and the

message of Islam. Furhermore, it could indicate that they were indifferent, negligent and rejectionist in their attitude. All of these meanings are possible, and are not - in essence - contradictory. Most likely, 'saamidoon' is a comprehensive description of their different reactions upon hearing the verses of the Quraan and the new message of tawheed. However, it must be said that when a Quranic term yields a number of different possible meanings and we have no clear, authentically-reported statement from the Prophet defining it in a strict sense, then such a verse containing the said term cannot be used as an unequivocal, decisive proof (daleelun qat'ee) of any particular meaning. Thus, this verse cannot stand alone as an uncontestable proof of the prohibition of singing, music, etc. Rather, other evidence, either from the Quraan itself or from the authentic sunnah, must prove such a position.(*30)

THE SECOND VERSE:

Another verse alleged to be proof of the illegality of music, singing, etc is mentioned in Soorah Al-Israa as follows:

After Iblees (Satan) refuses to bow before Adam as ordered, he requests that Allah grant him respite until the Day of Resurrection, so that he may misguide all but a a few of the descendants of Adam (peace be upon him). Allah, the Glorious and Exalted, addresses Satan thus, **{And excite any of them whom you can with your voice. Assault them with your cavalry and infantry, be a partner with them in their wealth and children, and make thempromoses. But Satan promises them nothing except deceit.}**(*31)

It is related that some of the commentators from the generation of the taabi'een, such as Mujahid and Dahhaak,(*32) interpreted Satan's exciting mankind with his voice to mean through the use of music, song and amusement. Ad-Dahaak said it was the sound of wind instruments. However, according to Ibn Abbaas, the voice mentioned in the verse refers to every form of invitation which calls to disobedience to Allah, the Exalted.(*33) After mentioning the various interpretations of the commentators, At-Tabari says, "The most correct of these views expresses that verily, Allah, the Blessed and Exalted, said to Iblees, **{Excite whosoever of Adam's progeny you can with your voice,}** and He did not specify any particular type of voice. Thus, every voice which is not an invitation to Allah's worship and to His obedience is included in the meaning of Satan's 'voice' which is referred to in the Quraanic verse."(*34)

In conclusion, this verse - like the preceding one - is too general in its meaning, and is not by itself an explicit and unequivocal proof of the prohibition of music and singing, except in the case that such singing and music invites or leads to disobedience to Allah. Therefore, one must look at other unambiguous texts, which clearly show music, singing, etc. to be prohibited intrinsically and not due to some extraneous variable.

THE THIRD VERSE:

The final verse, and the one most often presented as proof of prohibition, is located in Soorah Luqmaan:(*35)

Allah, the Exalted, says, **{And there are among men those who purchase idle talk in order to mislead others from Allah's path without knowledge, and who throw ridicule upon it. For such there will be a humiliating punishment.}**

After mentioning the condition of the felicitous (those who are guided by Allah's Book and who benefit from listening to it), Allah, the Glorious and Exalted, reveals the condition of the miserable ones who refuse to benefit from hearing the word of God. They only devote themselves avidly to idle and foul talk, empty amusements and all other false works and deeds whose purposes are to turn others away from Allah's path and to make it the butt of mockery.

Ibn Jareer At-Tabari, in his Jaamiul Bayaan, mentions that the interpreters of the Quraan differed as to the meaning of the term **{lahwal hadeeth} (idle talk)** which occurs in the above-quoted verse. Their views regarding its meaning can be formulated into three basic categories.

The first category defines the term **{lahwal hadeeth}**: (a) singing and listening to songs, (b) the purchasing of professional male or female singers and (c) the purchase of instruments of amusement; namely, the drum (tabl). The elements of this category revolve around reference to the blameworthy usage of instruments of idle amusement, in short, music and song. This view was held by a number of companions such as Ibn Masood, Jaabir and Ibn Abbaas. It is related that the former was questioned regarding the meaning of the verse under discussion to which he replied, "I swear by the One other than Whom there is no god that it refers to singing [ghinaa]"; he repeated it three times to emphasize his position.(*36) It is related that Ibn Abbaas said it referred to "singing and the like."(*37) Jaabir is reported to view its meaning to signify singing and listening to songs.(*38) This general view pointing to censure of music and song was also held by a great number of taabi'een, such as Ikrimah, Mujaahid, Makhool and Umar bin Shuayb, to name only a few.(*39)

The second category of interpretation centers around the idea that **{lahwal hadeeth}** indicates conversation inviting to or consisting of shirk (polytheism). This view was the view of some tafseer scholars from the generation after the companions, such as Ad-Dahaak and Abdur-Rahmaan bin Zayd bin Aslam.(*40)

The third category conveys the meaning of all false talk, actions or deeds, whose nature it is to divert people from Allah's path and from His worship and remembrance. For example, Al-Aaloosi relates that Al-Hasan Al-Basri was reported as saying that **{lahwal hadeeth}** includes "everything which distracts one from worship and the remembrance of Allah such as whiling the night away in idle conversation or entertainment, jokes, superstitous tales, songs and the likes thereof."(*41) Al-Aaloosi supports this view, saying that the verse should be interpreted to include all such blameworthy words and deeds which divert one from Allah's path.

After having conveyed the previously-mentioned categories of tafseer, Ibn Jareer relates the commentary of Ibn Zayd about the verse, **{And there are among men those who purchase idle talk in order to mislead others from Allah's path without knowledge, and who throw ridicule upon it.}** Ibn Zayd said, "The people referred to [in this verse] are the disbelievers. Don't you see that it says [in the immediately following verse], **{And when Our revelations are recited to such a person he turns away in pride as if he hadn't heard them, as if there was a deafness in his ears.}**(*42) The people of Islam are not as those described here, although some say the verse refers to Muslims [as well]. The verse refers to the disbelievers who pitched their voices in a tumultuous clatter in order to drown out the hearing of the Quraan."(*43)

At-Tabari concludes by offering his own weighted preference for the general, inclusive meaning as

conveyed in this final category. He states, "The most correct view regarding the meaning of **lahwal hadeeth}** is the one which indicates every form of conversation(*44) which diverts from Allah's path - the hearing of which has been prohibited by Allah or His Messenger (peace and blessings be upon him). This is because the statement by Allah, the Exalted, is general and inclusive, and does not exclude certain forms of conversation. Therefore, His statement remains in its general context unless proof which specifies it appears; and singing and polytheism [shirk] are included in this general statement."(*45)

From what has preceded, it is to be understood that a specific or exclusive meaning such as singing or shirk cannot be proven; rather, the verse and particularly the phrase **{lahwal hadeeth}** should be interpreted as anything which diverts one from Allah's path. Music, singing, etc. (since they occupy people's attention and distract them from Allah's worship and remembrance and invite to His disobedience), no doubt fall under the general censure, blame and rebuke cast upon those who fall into this category. However, this verse is not itself an explicit, unequivocal proof for the prohibition of music, singing, etc. Rather, its prohibition is conditional and incidental as stated above. Thus, this issue requires other external proofs which are both clear and categorical, so as not to leave the least bit of doubt in the mind of the conscientious, truth-seeking believer. In order to achieve such a lofty, yet absolutely vital objective, it is necessary to turn to the second source of the Islamic shari'ah, the authentic sunnah of Allah's Messenger (upon whom be blessings and peace).

CRITICAL ANALYSIS OF THE HADEETH LITERATURE

A meticulous, critical analysis of the relevant texts from the hadeeth literature reveals that, contrary to the commonly-held belief, there are a number of authentic narrations from the prophetic sunnah which clearly point to the indisputable fact that music, instruments, singing to accompaniment, etc. are objects prohibited by the Islamic Shar'iah. The exceptions to this general rule are specific, limited types of innocent singing or chanting without any instrumental accompaniment or to the accompaniment of the simple hand drum (daff) on certain occasions designated by the sunnah. Their details require discussion later.

Unfortunately, due to certain modern scholars' blind imitation (taqleed) of a few earlier scholars, many Muslims entertain the misconception that all the hadeeths relating to music, singing, musical instruments, etc. are either weak (da'eef) or forged (mowdoo'). A critical analysis of the available hadeeth literature clearly reveals that this is an untenable position. In order to substantiate this claim and to dispel such false notions, it is necessary to quote a number of authentic traditions along with the translation of their meanings.

THE TRADITIONS AND THEIR DEGREE OF AUTHENTICITY

THE NARRATION OF AL- BUKHAARI:

The translation of the hadeeth follows: The Prophet (Allah's peace and blessings be upon him) said, "There will be [at some future time] people from my Ummah [community of Muslims] who will seek to make lawful: fornication, the wearing of silk,(*46) wine-drinking and the use of musical instruments [ma'aazif]. Some people will stay at the side of the mountain and when their shepherd comes in the evening to ask them for his needs, they will say, 'Return to us tomorrow.' Then Allah will destroy them during the night by causing the mountain to fall upon them, while He changes

others into apes and swine. They will remain in such a state until the Day of Resurrection."(*47)

A CRICTICAL DISCUSSION OF ITS ISNAAD:(*48)

Prior to a discussion of the meaning of the part of this hadeeth relevant to this treatise, it is necessary to refute certain unfounded criticisms of its authenticity directed at it by a few scholars of the past and present, struggling under unfortunate misconceptions.

At the beginning of the isnaad, Imam Al-Bukhaari related, "Qaala Hishaamu-bnu Ammaar..."("Hishaam bin Ammaar said...") This statement was misconstrued by Ibn Hazm to indicate that there is a missing link between Al-Bukaari and the next narrator (i.e Hishaam),(*49) implying that the hadeeth's isnaad is disconnected (munqati') and therefore not valid as proof in the prohibition of music, song, musical instruments, etc. This type of isnaad, termed mu'allaq, contains a missing link. However, Al-Bukaari's hadeeth is authentic, because there exist fully-connected chains for it which fulfill the condition of authenticity. This was stated by the great critical scholar of hadeeth, Shaykh Ibnus-Salaah, in his celebrated work, Uloomul Hadeeeth (his treatise on the science or methodology of hadeeth criticism and assessment). In his commentary of Saheehul Bukhaari, entitled Fat-hul Baari, Ibn Hajar mentioned Ibnus Salaah's meticulous refutation of Ibn Hazm's statement.(*50)

Among the other great critical scholars of hadeeth who mentioned that the isnaad is soundly connected (mowsool) is Ibn Hajar's shaykh, Al-Haafidh Al-Iraaqi. He stated that the isnaad is found connected in Al-Ismaa'eeli's work, entitled Al-Mustakhraj, which collects together other chains of narrators (or similar ones) for the samehadeeths mentioned in Al-Bukhaari's collection.

And finally, there is Ibn Hajar's distinctive work, Taghleequt Ta'leeq, a rare and stupendous masterpiece, which brings together connected, authentic chains (asaneed) of transmitters for those traditions which appear in Al-Bukhaari's compilation in the form of the disconnected (mu'alliq) type of hadeeth, thereby dispelling accrued misconceptions regarding the claim of "weak" hadeeths occuring in the text (matn) of Al-Jaamis As-Saheeh.(*51)

After quoting other complete, authentic chains(*52) for the tradition under study, along with the sources wherein such chains of transmitters are mentioned,(*53) Ibn Hajar concludes by emphasizing (in reference to Al-Bukhaari's narration):

"This is an authentic hadeeth. It has no deficiency or defect, and there is no point of weakness for any attack to be made on it. Abu Muhammed Ibn Hazam labeled it as defective by virtue of his claim that there is a break [intiqaa'] in the chain between Al-Bukhaari and Sadaqah bin Khaalid and because of the difference of opinion regarding the name of Abu Maalik(*54) As you've seen, I have quoted nine fully-connected chains of transmission (asaneed) whose narrators are thoroughly dependable. As for the difference regarding the kunyah of the companions, they are all of impeccable repute. Further more, in Ibn Hibbaan's narration, the transmitter stated that he heard from both of them...(*55) I have in my possession yet other chains which could be presented here, however, I would not like to prolong this subject further by mentioning them. In what we have stated there is enough proof for the sensible, thinking person. And Allah is the grantor of success."(*56)

In short, this particular narration of Al-Bukhaari is authentic and consequently constitutes a valid and binding text to be referred to in determining the ruling (hukm) regarding music.

It should be mentioned that certain modern-day writers, who blindly imitate previous scholars by quoting their views without applying the critical sciences of hadeeth research, have merely parroted the position of Ibn Hazm, and due to this, have caused many unwary persons to go astray regarding this issue. For example, Yoosuf Al-Qardaawi, in his popular book, entitled Al-Halaal wal Haraam fil Islam,(*57) says in regard to the extant hadeths on music: "As for what has been mentioned by way of prophetic traditions [relating to the subject of music], all of these have been assessed to have some point or another of weakness according to the fuqahaa of hadeeth and its scholars.(*58) The Qaadi Abu Bakr Ibnul-Arabi said, 'There is no authentic hadeeth prohibiting singing.' And Ibn Hazm said, 'Every hadeeth related [prohibiting music and singing] is false and forged."(*59)

Unfortunately, the statement that "all" the narrations are weak according to "scholars of hadeeth" is a gross error on Al-Qardaawi's part and is not the result of meticulous critical research. Rather, it is due to an uncritical, blind acceptance of the words of Ibn Hazm and Ibnul-Arabi. Ibn Hazm was no doubt a virtuous, sharp-minded scholar; however, in the area of hadeth assessment and verification (as is the case in many aspects of his school of Dhaahiri fiqh), he has certain untenable and unfounded, even some very abnormal views.(*60) The accomplished hadeeth scholar and student of Ibn Taymiyyah, Al-Haafidh Ibn Abdul-Haadi, says of Ibn Hazm that "he often errs in his critical assessment of the degrees of traditions and on the conditions of their narrators."(*61) In fact, there is unanimous consensus among the most reputable critical scholars of hadeeth regarding Ibn Hazm's erroneous assignment of a ruling of d'af (weakness) to Al-Bukhaari's hadeeth. Regarding the degree of this hadeeth, the views of Ibnus-Salaah, Ibn Hajar Al-Asqalaani and Al-Haafidh Al-Iraaqi have already been mentioned. Among the qualified scholars who also agree with his assessment are the great scholars, Ibnul-Qayyim and Ibn Taymiyyah. Ibnul-Arabi is similar to Ibn Hazm in that he is quick to give a ruling of forgery or weakness on a hadeeth, without the necessary, detailed analysis and synthesis of all extant chains of narration relating to the subject. Had he executed such an analysis, undoubtedly he would have arrived at a sound decision and avoided much blame and censure.

Having established the authenticity of the aforementioned narration recorded in Imam Al-Bukaari's compilation, the meaning of his hadeeth and its stand as an indisputable proof of the unlawfulness of music may now be discussed.

COMMENTARY ON AL- BUKHAARI'S HADEETH:

The portion of Al-Bukhaari's hadeeth, which is presently of concern, is that segment whose text states:

"There will be a people of my ummah [nation] who will seek to make lawful: fornication, the wearing of silk, wine-drinking and the use of musical instruments..."

The word of consequence here is the Arabic term 'ma'aazif'. In order to discover what it implies, one must turn to Arabic dictionaries of hadeeth terms and other scholarly works. According to Lisaanul Arab,(*62) ma'aazif is the plural of mi'zaf or 'azf,(*63) and indicates objects or instruments of play or leisure which are beat upon for their sound. If the singular form is used (mi'zaf), it specifically means a type of large wooden drum used mainly by the people of Yemen. The noun 'azf also stands for the act of playing with ma'aazif, i.e. hand drums (dufoof)(*64) or other instruments which are struck upon. Al-Jowhari, the author of the ancient dictionary, As-Sihaah, asserts that ma'aazif signifies musical instruments, al-'aazif indicates one who sings, and the 'azf of the wind is its voice.(*65) In the famous

Taajul 'Aroos min Jawaahiril Qaaamoos, besides quoting the above-mentioned meanings, the commentator Az-Zabeedi says that ma'aazif are instruments of leisure which are drummed upon or played, like the lute ('ood), the drum (tanboor), the small hand drum (daff) or other such musical objects.(*66) And finally, in the famous dictionary, An-Nihaayah fee Ghareebil Hadeeth,(*67) Ibnul-Atheer mentions the meaning of ma'aazif as it is used in various hadeeths. He comments, "By 'azf is meant playing with ma'aazif, consisting of dufoof [hand drums] or other instruments which are beat upon." He also mentions the derived noun form, 'azeef, which means "sound" or voice", while 'azeeful jinn signifies the ringing of the jinns' voices. It is said that the people of the desert imagined the shrill ringing of the winds in the desert air to be the voice of jinns.(*68)

The commentaries of the scholars of hadeeth also agree on the above-quoted meaninings for the term maazif mentioned in Al-Bukhaari's narration. In Ibn Hajar's exhaustive commentary of Saheehul Bukhaari,(*69) he adds that an earlier hadeeth scholar, named Ad-Dimyaati, says that the word 'azf is also used to describe singing (ghinaa).(*70)

Such a detailed analysis of the meaning of the term ma'aazif, as mentioned in the most authoritative dictionaries of the Arabic language, is necessary to refute any others' possible attempts to "explain away" or "interpret" it in a matter suiting their preconceived notions or opinions. It clearly has been established that the word ma'aazif - according to correct Arabic usage - indicates a specific number of things: (a) musical instruments, (b) the sounds of those musical instruments (music) and (c) singing to instrumental accompaniment.

ANALYSIS OF THE TEXT AS A PROOF OF PROHIBITION:

An analysis of the hadeeth's wording clearly indicates the unlawfulness of music. In the text it is said that people from the Prophet's ummah will "seek to make lawful" that which is termed ma'aazif. This statement ("seek to make lawful") is derived from the verb yastahilloona, whose first part, yasta, is the conjugated addition to the root ahalla. The conjugated form ista means to seek, try, attempt, desire, etc., while the root ahalla means to make lawful. Taken together it means "to seek to make lawful". Obviously, one can only seek, desire or attempt to make lawful that which is not lawful. For if something is already lawful, it is nonsensical for one to seek to establish it. Other things which people will attempt to make lawful are named along with ma'aazif. These additional matters are definitely prohibited in Islam - namely, illegal sexual intercourse, the drinking of wine or liquor and the wearing of silk (for males). Had ma'aazif(*71) not been prohibited, they never would have been associated with other prohibited objects in one and the same context.

In order to dispel the common misconception prevalent among certain Muslims that "only one hadeeth" in Al-Bukkhaari's compilation stands as proof of prohibition regarding this issue, it is necessary to mention a sample of other authentic hadeeth. The fact that the majority of traditions regarding music, instruments and singing are weak and rejected (munkar) does not negate the existence of an appreciable number whose degree is saheeh (authentic) or hasan (of good, acceptable quality).

THE NARRATION OF IBN MAAJAH:

There is a narration by Ibn Maajah in Kitaabul Fitan(*72) in the chapter on punishments. The translation is:

The messenger of Allah said: "A people of myummah will drink wine, calling it by other than its real name. Merriment will be made for them through the playing of musical instruments and the singing of lady singers. Allah will cleave the earth under them and turn others into apes and swine."

This is an authentic hadeeth. It was also narrated by Al-Bayhaqi and Ibn Asaakir with the same wording. The renowned scholar of hadeeth and fiqh, Ibnul-Qayyim, authenticated it as mentioned in the famous hadeeth commentary of the 'allaamah, Abut-Teeb Muhammad Shamsul-Haqq Al-Adheem-Aabaadi.(*73) Furthermore, it was given a degree of saheeh by muhaddith of our era, Shaykh Muhammad Naasiruddeen Al-Albaani. He mentioned its detailed, critical evaluation and assessment in his Silsatul Ahaadeeth As-Saheehah(*74) and in his Saheehul Jaamis Sagheer.(*75) It is further mentioned and authenticated in his Ghaayatul Maraam, Takhreejul Halaali wal Haraam.(*76)

THE NARRATIONS OF AHMAD BIN HANBAL:

There are a number of narrations proving the prohibition of music and instruments in Ahmad bin Hanbal's Musnad. Although many of them are weak, two narrations from his compilation, which have been verified to be authentic, follow.

THE FIRST TEXT:

The translation is:

The Prophet said: "Verily, Allah prohibited wine, gambling and al-koobah; and every intoxicant is prohibited." Sufyan said, "I asked the narrator, Ali bin Badheemah, 'What is al-koobah?' He answered, 'It is the drum.'"

THE SECOND TEXT:

It is translated thus:

Allah's Messenger said, "Verily, Allah has prohibited for my ummah: wine, gambling, a drink distilled from corn, the drum and the lute;(*79) while He supplemented me with another prayer, the witr."(*80)

These narrations have also been related by other compilers, such as Al-Bayhaqi in his Shu'ubul Eemaan with an authentic isnaad and At-Tabaraani in Al-Mu'jam Al-Kabeer with a jayyid (good) isnaad. The detailed proof of their verified authenticity are mentioned in Al-Albaani's Saheehul Jaami'is Sagheer.(*81) It is further authenticated in his Mishkaatul Masaabeeh(*82) and in his work, Al-Ahadeeth As-Saheehah.(*83)

THE NARRATION OF AL- HAAKIM AND OTHERS:

It is reported by Al-Haakim in his Mustadrak(*84) that the Prophet (upon whom be peace and blessings) took the hand of the companion, AbdurRahmaan bin 'Owf, and they proceeded to visit the Prophet's ailing son, Ibraheem. They found the infant in the throes of death, so the Prophet took him to his breast and held him until his spirit left him. Then he put the child down and wept, whereupon

Abdur-Rahmaan asked in astonishment, "You are weeping, Oh Messenger of Allah, while you prohibit crying!?" The following is the Prophet's reply:

"Verily, I did not prohibit weeping [per se] but rather, I forbade two voices [sowtayn] which are imbecilic [ahmaq] and sinfully shameless [faajir]: one, a voice [singing] to the accompaniment of musical amusement [lahw] and Satan's [wind] instruments; the other, a voice [wailing] due to some calamity, accompanied by striking of the face and tearing of garments. But this [weeping of mine] stems from compassion, and whosoever does not show compassion will not receive it."

This hadeeth's degree is hasan,(*85) and it has been strengthened by another narration related by Abu Bakr Ash-Shaafi'ee in his work, Ar-Rubaa'eeyat.(*86) Its abbreviated text follows.

THE NARRATION OF ABU BAKR ASH-SHAAFI'EE:

Anas bin Maalik related from the Prophet (may Allah bless him and grant him peace) that "two cursed sounds are that of the [wind] instrument [mizmaar](*87) played on the occasion of joy and grace, and woeful wailing upon the occurrence of adversity."(*88)

A similar text with slightly different wording is related by Al-Bazzaar in his collection(*89) of hadeeths. Al-Haafidh Nooruddeen Al-Haythami mentioned it in his Majma' Az-Zawaaid(*90) and indicated that the narrators of this isnaad are all dependable. Thus, these last three narrations prove the illegality of music and singing to musical accompanient, especially wind instruments (mazaameer), which are referred to as "flutes of Satan" in the tradition related by Al-Haakim.

The traditions quoted are not the only available authentic hadeeths which establish prohibition. There are others(*91), however the scope of this treatise does not allow a more detailed exposition. The sample mentioned is sufficient proof, for **{verily, therein is a reminder for any who has a heart or who gives ear and earnestly witnesses [the truth].}**(*92)

Footnotes

(*1)Soorah Al-Israa, 17:55.

(*2)The common misconception is that he sang to the accompanient of harp. The origin of this is in Judeo-Christian sources which have suffered the effects of alteration and distortion; therefore, they cannot be depended upon.

(*3)The Holy Quran: text,translation and commentary, vol. 1, p.709, footnote no. 2241.

(*4)It must be noted that the "psalms" which are presently extant in the Old testament versions are erroneuosly attributed to Dawood and are not the original Psalms (Az-Zaboor) revealed to him by Allah. The reason for this is the extensive alteration and interpolation of later writers.

(*5)For example, see Soorah Bani Israeel, 17:55 and Soorah An-Nisaa, 4:163.

(*6)Traditions are authentic textual material containing clear and explicit sayings of the Prophet. His sayings in this matter only refer to the beautiful, melodious quality of Dawood's voice in reciting from the Book of Psalms. It is true that a number of narrations (aathaar mowqoofah) reported on the authority of some of the taabi'een (the generation after the companions) refer to the wonderful qualities of Dawood's voice in an exxagerated manner, and in some of these a mention of musical instruments is found. However, such narrations do not stand as valid proof in this issue because they consist of views and/or reports of the type known as israaaeeliyaat (reports gleaned from hearsay or the traditions of the People of Book). The criterion in such matters is to be based upon a reference to Allah's Book and the authentic sunnah. For a sample of such narrations, see Ibn Katheer's volumnious historic compendium, AlBidaayah wan Nihaayah, vol.2, pp. 10-11.

(*7)See Tafseerul Quraanil Adheem, vol.2, p. 422.

(*8)Refer to the tafseer (commentary) entitled Roohul Ma'aani, vol. 6, p. 17.

(*9)See Qurtubi's Al-Jaami'li Ahkaamil Quraan, vol. 6, pp. 16-17.

(*10)Tafseer Roohul Ma'aani, vol 6, p. 17.

(*11)For details, see Qurtubi's Al-Jaami'li Ahkaamil Quraan, vol 6, p. 17; Ibn Katheer's Al-Bidaayah wan Nihaayah, vol. 2, pp.10-11 and An-Najjaar's Qassasul Anbiyya, pp. 310-311.

(*12)Soorah Saad, 38:41-42.

(*13)Soorah Saad, 38:44.

(*14)The type of dancing most probably meant is that of the Sufi dervishes and others; for they considered their esctatic twirling to the accompaniment of certain ritual formulas (adhkaar) and musical instruments a form of worship (ibaadah) which brings one closer to Allah. Of course, such things are none other than bid'ah (blameworthy innovations and misguidance in deen).

(*15)See Qurtubi's Al-Jaami'li Ahkaamil Quraan, vol. 15, p. 215.

(*16)Ibid.

(*17)Soorah Al-Araaf, 7:160.

(*18)The beating of the typically hard, stuffed cushions of the Arabic "majlis" decor, produces a hollow sound similar to the bass drum. This was a common musical accompanient for singers in Iraq during the early historical eras (circa 1st-2nd century of the Hijrah) See pp. 106-107 of Ibn Hajar Al-Haythami's Kaffur Ra'aa.

(*19)See Qurtubi's Al-Jaami'li Ahkaamil Quraan, vol. 15, p. 215.

*20)The codified science containing principles and methods for arriving at a jurisprudential ruling directly from the texts of the Quraan and sunnah, or by a referral to the general principles embodied in such texts or applied to to them.

*21)The law of those who received a divinely-revealed scripture before us, who are designated as the People of the Book (Ahlul Kitaab) - the Jews and Christians.

(*22)For details outlining the various scholars' views regarding the application or abrogation of previously-revealed law, see Zakaria Bardeesi's Usool Fiqh, p. 243-247.

(*23)53:59-62.

(*24)For details, see pp. 123-124 of vol.17 of histafseer.

(*25)See Al-Jowhari's As-Sihaah, vol. 2, p. 489.

*26)Al-Jaami'li Ahkaamil Quraan, vol. 17, p. 123.

(*27)Ibid.

(*28)See Jaami'ul Bayaan'an Taweeli Aayil Quraan, vol. 27, pp. 82-84.

(*29)See also Qurtubi's tafseer, vol. 17, p. 123.

(*30)It is interesting to note that other major commentaries of "ahkaamul Quraan" (jurisprudential rulings derived from the Quraanic texts) do not even mention this verse as proof for the prohibition of music,etc. For example, see the works of Al-Jassaas, Ibnul-Arabi and Ilkeeya Al-Harraasi.

(*31)Soorah Al-Israa, 17:64.

(*32)See Qurtubi's tafseer, vol. 10, p. 289; Ibn Katheer's Tafseerul Quraanil Adheem, vol. 5, p. 91 and At-Tabari's tafseer, vol. 15, p. 118.

(*33)As reported in the narration of At-Tabari traced to Ibn Abbaas and Qatadah. See his tafseer, vol. 15, p. 118 for details.

(*34)See At-Tabari's tafseer, vol. 15, p. 118, for details.

(*35)31:6.

(*36)Related by Al-Bayhaqi, Ubnul-Munhdir and Al-Haakim in his Mustadrak, where he authenticated it; and it was confirmed by Adh-Dhahabi.

(*37)See At-Tabari's Jaami'ul Bayaan, vol. 21, p. 61 for the various narrations related to Ibn Abbaas.

(*38)Ibid., vol. 21, p. 62.

(*39)For details, see the tafseer of Ibn Katheer, vol. 6, p. 334; Al-Qurtubi's Al-Jaami', vol. 14, pp. 51-53 and As-Suyooti's Ad-Durr Al-Manthoor, vol. 5, pp. 158-160.

(*40)See the commentaries of Ibn Katheer, vol. 6, p. 334 and At-Tabari, vol. 21, p. 63.

(*41)Roohul Ma'aani, vol. 21, p. 67.

(*42)Soorah Luqmaan, 31:7.

(*43)Related by At-Tabari in his tafseer, vol. 21, p. 63. The reference is to Soorah Fussilat, 41:26, whose meaning may be rendered, **{Those who disbelieve say, "Don't listen to thisQuraan. Drown out the hearing of it,so that perchance you may overcome."}** There are other interpretations of it, but Ibn Zayd's, as mentioned above, is the most obvious. See Al-Qurtubi's tafseer, vol. 15, p. 356, for details.

(*44)That is, every form of communication.

*45)Quoted from p. 63, vol. 21, of his Jaami'ul Bayaan'an Taweeli Aayil Quraan.

(*46)The wearing of silk is lawful for females but has been forbidden for men.

(*47)See Fathul Baari, vol. 10, p. 51.

(*48)Isnaad or sanad is the chain of narrators of prophetic traditions. In this case, it's from Imaam Al-Bukhaari traced back to the Prophet. The narrator's reliabilty in reporting, as well as other considerations connected with the science of verification and assessment of the degree of prophetic traditions, fall under these terms.

(*49)According to Ibn Hajar's statement in Fathul Baari, vol. 10, p. 52, Ibn Hazm claimed that there is a break between Al-Bukhaari and the narrator, Sadaqah bin Khaalid. Whatever the case, both claims will be shown to be unfounded.

(*50)For details, refer to vol. 10, p. 52 of the Salafi edition, Cairo.

(*51)This is the short title of Al-Bukaari's collection, and it means, "The Authentic Compilation." It is most deserving of this title as it is the most authentic book after the Quraan.

(*52)See Fathul Baari, vol. 5, pp. 17-22, for details.

(*53)Such as Al-Bukaari's history, At-Taareekh Al-Kabeer, Ibn Hibbaan's Mawaarid Adh-Dhamaan and At-Tabaraani's Al-Mu'jam Al-Kabeer.

(*54)i.e whether the companion's name (rather his kunyah, signifying the appellation, "father of so and so") was Abu Maalik or Abu 'Aamir.

(*55)That is from both of the companions, Abu Maalik and Abu 'Aamir. Thus, the question regarding the diference of the name is no longer an issue.

(*56)Taghleequt Ta'leeq, vol. 5, p. 22.

(*57)This book has been translated into English by various publishers under the title "The Lawful and the Prohibited in Islam (Al-Hilal Wal Haram Fil Islam)" by Yusuf Al-Qaradwi.

(*58)The terminology "fuqahaa of hadeeth" used by Al-Qardaawi appears to reveal his unfamiliarity with proper designation of the various types of scholars of Islam according to their particular branch of Islamic science. Fuqahaa is a term applied to jusisprudents who study the legal issues derived from the shari'ah and who arrive at rulings in regard to them. Nowhere, to my knowledge, has the term fuqahaaul hadeeth been used in hadeeth criticism. The specialists in the area of criticism, verification and assesment of hadeeth literature are termed ashaabul hadeeth (those who relate and apply the hadeeth) or nuqqaadul hadeeth (critical assessors of hadeeth) or merely al-muhaddithoon (narrators of hadeeth). It appears that Al-Qardaawi depends on the views of "general "scholars, the likes of Al-Ghazaali, Ibnul-Arabi and Ibn Hazm rather than on the qualified specialists in the noble hadeeth sciences such as Al-Bukhaari, Muslim, Ahmad, Ibn Ma'een, Abu Dawood, Abu Zura'h, Ibn Abi Haatim, Ibnus-Salaah, Al-Iraaqi, Ibn Taymiyyah and Ibn Hajar. These and their likes are authorities. But Al-Qardaawi has not quoted these or any of their calibre, even though there is a conensus among such qualified authorities that authentic hadeeths prohibiting music and its variants do exist, as shall be seen futher on in this paper.

(*59)See p.293 of his Al-Halaal wal Haraam fil Islam. Such bold, all-encompassing statements (if correctly attributed to Ibn Hazm and Ibnul-Arabi) are unfortunate examples of overstepping the boundaries of the scholars' domain. Not even the most accomplished specialists in the field of hadeeth criticism would dare to make such blank statements such as, "Every hadeeth relating to prohibition of music is false." or "There is no authentic hadeeth prohibiting music," etc. because they dont know every hadeeth which exists nor the degree of every hadeeth which exists!! Had these scholars confined their views somewhat by saying something like, "As far as I know, there are no authentic hadeeths..."etc. that would have been closer to the truth, would have protected their honor and would not have left them open to blame and censure. But as it is said, "Every prize courser is prone to a fall", all are prone to error except the true, chosen Messengers of Allah (may He exalt them and grant them peace).

(*60)This was due to his stubborn insistence on aplying only the meaning of the shari'ah texts (i.e. the literal wording of the Quraan and traditions). This attitude often led him to have peculiar, even ridiculous views regarding certain jurisprudential issues. See his work, Al-Muhalla for details.

(*61)Page 401 of his biographical work, Mukhtasar Tabaqaati Ulamaail Hadeeth.

(*62)The monumental Arabic dictionary, vol. 9, pp. 244-245.

(*63)In this form ('azf), it is an exception to the general principle of derivation by analogy. See Lisaanul Arab, vol. 9, p. 244.

(*64)In this form dufoof is plural of daff or duff, a small hand drum which is like the tambourine except that it doesnt have the steel objects which rattle. It consists of a narrow wooden rim. Around one side of it, a thin animal hide is bound tightly. Sound is evinced by tapping it with the fingertips or palm of the hand.

(*65)As-Sihaah, vol. 4, p. 1402.

(*66)Taajul 'Aroos min Jawaahirul Qaamoos, vol. 6, p. 197.

(*67)A dictionary in which terms of the prophetic traditions appear.

(*68)See vol. 3, p. 230 of An-Nihaayah.

(*69)i.e. Fat-hul Baari, vol.10, p. 55.

(*70)When singing has musical accompanient it takes on the description of 'azf or mi'zaf, i.e. musical entertainment.

(*71)Music, instruments and singing to musical accompaniment.

(*72)See vol. 2, p. 3 85 of the edition edited by Muhammad Mustafa Al-Adhami.

(*73)See 'Ownul Ma'bood, vol. 13, p. 271.

(*74)Vol. 1, hadeeth no. 90, pp. 136-139.

(*75)Vol. 5-6, p. 105, hadeeth no. 5530.

(*76)Page 228, hadeeth no. 402.

(*77)See Ahmad's Musnad, vol. 1, pp. 289 and 350, vol. 2, pp. 158 and 171-172.

(*78)See Ahmad's Musnad, vol. 2, pp. 165 and 167.

(*79)The Arabian guitar, termed qinneen in the text of the hadeeth.

(*80)Witr refers to a voluntary prayer performed during the night after Eeshaa (the night prayer). It consists of an odd number of units (raka'aat) from one to nine.

(*81)Vol. 1-2, p. 106, hadeeth no. 1743 and 1744.

(*82)Vol. 2, p. 1276, hadeeth no. 4503.

(*83)Vol. 4, pp. 283-285, hadeeth no. 1708 and p. 422, hadeeth no. 1806.

(*84)Entitled Al-Mustadrak 'alas Saheehayn; the hadeeth appears on p. 40 of vol. 4.

(*85)For the details regarding the critical analysis and evaluation of this and related asaaneed, see Al-Albaani's Silsilatul Ahadeeth As-Saheehah, vol. 1, hadeeth no. 428 and Al-Bagawi's Sharhus Sunnah, vol. 5, p. 431.

(*86)Manuscript no. 2/22/1, as related by the scholars ofhadeeth, Naasiruddeen Al-Albaani in his Al-Ahaadeeth As-Saheehah, vol. 1, p. 170 of the 5th section.

(*87)A type of flute.

(*88)Its isnaad is authentic.

(*89)Al-Musnad.

(*90)Vol. 3, page 13.

(*91)For other authentic traditions which will establish the ruling of prohibition, see the valuable treatise, entitled Ahadeeth Dhammil Ghinaa wal Maazif fil Meezan, pp. 35, 47, 50 and 53 (Kuwait, Maktabah Daarul Aqsaa, 1986).

(*92)Soorah Qaaf, 50:37.

CONSENSUS OF THE COMPANIONS,TAABIEEN IMAMS AND OTHER FUQAHAA

No doubt, the companions of the Prophet) were the best people after the Messengers of Allah. The companions received the knowledge of Islam from the Prophet and faithfully conveyed it to us. Therefore, it is useful to know their views regarding the subject of this treatise, for their consensus (ijmaa') carries absolute weight(*93) in this matter and clarifies the correct view, removing any lingering doubts in the hearts of those who have not yet been graced with the gift of surety (yaqeen) and conviction.

In order to further strengthen the view previously established, it is necessary to review the opinions of the taabi'een, the four imams and other accomplished scholars of Islam. One of the attributes of sound Islamic methodology is the reference to the views and positions held by the pious predecessors of the Islamic ummah and the respectful consideration with which one approaches them. However, their views, as with the views of all, must be subjected to the criterion of Allah's Book and the authentically-related prophetic traditions. Since the prohibition of music has already been established beyond the slightest doubt through detailed proof from the authentic sunnah, this section of the treatise is presented merely for the sake of the reader's knowledge and Islamic awareness.

THE POSITION OF THE COMPANIONS ON THIS ISSUE

A few of the later Shafi'ite scholars related Ibn Taahir's(*94) claim that the sahaabah and taabi'een unanimously agreed upon the permissibility of singing (ghinaa); therefore, those who came after them have no right to challenge their authority. The Shafi'ite scholar, Ibn Hajar Al-Haythami Al-Makki (909-974 H.), mentioned(*95) that some went so far as to claim the supposed consensus ofahlul Madeenah on this question. They even accused twenty-four scholars from among the sahaaabah, as well as innumerable taabi'een, their followers, and the four imams and their disciples of singing and listening to song. However, regarding the previously mentioned claim by Ibn Taahir and those who indiscriminately followed him, an authority on Shafi'ite scholarship, Shihaabuddeen Al-Adhraa'i (708-783 H.) refuted such facile reports and insisted that Ibn Taahir was not dependable in such matters. Al-Adhraa'i related that in Ibn Taahir's book Safwatut Tasawwuf (The Vanguard of Sufism) and his treatise, As-Samaa'a (Listening [to music, singing, etc.]), one finds disgraceful, scandalous things, along with ugly instances of fraudulent presentations of material(in defense of his position on this issue).(*96) Al-Adhraa'i further clarified that what has been attributed to the companions could not be established by authentically-related narrations (aaathaar), but rather, their assertions were based on reports of certain companions listening to poetry, chants or songs.(*97) This does not substantiate their allegations, for such things are permitted by consensus and fall outside the realm of this area of dispute.(*98) Clearly, it was related that some companions performed permitted aspects of singing, etc., however, these actions were distorted out of context by such persons to include every type of singing, without specification or restriction.

Al-Adhaar'i then quoted an authoritative Shafi'ite imam, Abdul-Qaasim Ad-Dowlaqi, who clarifies in his book As-Samaa'a, the vital point which is at the crux of this issue. He says, "It has not been related regarding any one of the companions (may Allah be pleased with them) that he listened to the sort of singing which is of the disputed type;(*99) nor is it related that gatherings for song were organized for him, nor that people were invited to them - either publicly or privately, nor that he praised such song; rather, it was the companions' habit to censure and blame such gatherings for the

purpose of listening to it."(*100)

Ibn Hajar Al-Haythami concludes his discourse by pointing out that it is clear from what has preceded that it is not permissible to blindly adhere to Ibn Taahir's views, because he has deviated in both the point of view of his narrations (naql), and his personal opinions (aql). He was also a liar, innovator and a libertine. As for those who relate that the companions and others permitted the disputed types of song, they have committed an ugly mistake and have fallen prey to gross error. The issue of song and music is of two types: the first type is permitted by consensus, and the second type is disputed about as to its prohibition. To intimate that the companions' listening to certain forms of poetry, singing, chanting, etc. is of the second type is invalid arbitrariness and is not based on the principles of jurisprudence and hadeeth science. Such principles clearly indicate that we must interpret whatever has been related on this issue regarding the companions as that type of song permitted by consensus.(*101)

Regarding this particular issue, Yoosuf Al-Qardaawi makes a bold and misleading statement. It reads: "It is related regarding a large number of companions and taabi'een, that they used to listen to song [ghinaa], and they didn't see any harm in that."(*102) This assertion is misleading for a number of reasons. Firstly, he claims that it has been "related", however, he brings no valid proof of such a statement - not even a single pertinent tradition (athar) related to the companions(*103). Secondly, he leads the reader to believe that the sahabah listened to all types of song. This he accomplishes with the general wording "used to listen to song." In reality, they only listened to particular types, as specified lawful in the sunnah. These types are restricted as to who may sing and who may listen, on what occasions they are allowed and in what manner they are to be delivered. The difference between what Qardaawi has intimated and what really occurred is like night and day.

In reality, the companions unanimously agreed upon the prohibition of music and song but allowed particular exceptions specified by the authentic sunnah. Many authentic narrations (aathaar) traced to the various sahaabah bear witness to this. For example, it is authentically related by Al-Bayhaqi that the companion, Abdullah bin Masood said, "Singing sprouts hypocrisy in the heart as rain sprouts herbs and greens." As was related in an earlier portion of this treatise, when he was questioned regarding the meaning of the words **{lahwal hadeeth}**(*104) he replied, "I swear by Him besides Whom there is no other god that it refers to singing."(*105) He repeated it three times over to emphasize his belief that the words from the Quraan were a rebuke and censure of singing. In addition to this, the same view was held by the four rightly-guided caliphs, the fuqahaa among the sahaabah such as Ibn Abaas, Ibn Umar and Jaabir bin Abdullah, as well as the general body of sahaabah (may Allah be pleased with them all)(*106). Anyone who claims differently is requested to bring proof. It is further requested that it be an authentically-reported, clear and unambiguous text that it relate specifically to the point of dispute (mahallun nizaa).

THE VIEW OF THE TAABI'EEN IMAMS AND SCHOLARS AFTER THEM

The view held by the companions was generally adhered to by the taabi'een and their followers, the four imams and the great majority of dependable Islamic scholars up to the present time. From among the taabi'een and their followers, there are such authorities as Mujaahid, Ikrimah, An-Nakha'i and Al-Hassan Al-Basri.(*107)

IMAM ABU HANEEFAH:

Imam Abu Haneefah(*108) has perhaps the harshest view of the four famous Imams of jurisprudence. His school of thought is the strictest, for he detested singing and considered it sinful. As for his disciples, they have explicitly confirmed the prohibition of listening to all musical amusements and pastimes, including wind instruments (mazaameer),(*109) all types of tambourines, hand drums (dufoof)(*110) and even the striking of sticks(al-qadeeb). They have asserted that such actions constitute disobedience to Allah and that the performer of such action is sinful, therefore necessitating rejection of his testimony.(*111) They have further stated that it is incumbent upon the Muslim to struggle to avoid listening to such things, even if he were passing by or stationed near them (without any willful intention). Abu Haneefah's closest disciple, Abu Yoosuf, stated that if the sound of musical instruments (ma'aazif) and amusements (malaahi) were heard coming from a house, the house could be entered without permission of its owners.(*112) The justification for this is that the command regarding the prohibition of abominable things (munkaaraat) is mandatory, and cannot be established if such entering rests upon the permission of the residents of the premises.(*113) This is the madhhab (position) of the rest of the Kufic scholars as well, such as Ibraheem An-Nakha'i, Ash-Sha'bi, Hammaad and Ath-Thowri. They do not differ on this issue. The same can be said of the general body of jurisprudence of Al-Basrah.(*114)

IMAAM MAALIK:

It is related by Ibnul-Jowzi that Ishaaq bin 'Eesaa At-Tabba'a asked Imaam Maalik bin Anas,(*115) the leading jurisprudent of Madeenah, about the view of the people of Madeenah regarding singing (ghinaa). He replied, "In fact, that is done by the sinful ones." Abut-teeb At-Tabari said, "As for Maalik bin Anas, he truly did prohibit singing and listening to it." He further related that Maalik said, "If one purchased a slave-girl(*116) and found her to be a professional singer, he could return her to the original owner for reimbursement on the claim of having found fault in the merchandise."(*117) The ruling of prohibition (tahreem) is generally agreed upon by the scholars of Madeenah. The Maaliki jurisprudence and commentator, Al-Qurtubi, reports Ibn Khuwayz Mandaad as saying that Imam Maalik had learned singing and music as a small boy until his mother encouraged him to leave it for a study of the religious sciences. He did, and his view became that such things were prohibited.(*118) Al-Qurtubi confirmed Maalik's view by saying that the only exception to this general ruling was the type of innocent songs such as those sung to placate the camels during travel, or during hard labor or boredom or during times of festivity and joy, such as the Eed days and weddings - the latter to the accompaniment of a simple daff (hand drum). Al-Qurtubi then said, "As for that which is done in our day, by way of the [blameworthy] innovations [bidah] of the Sufi mystics in their addition to hearing songs to the accompaniment of melodious instruments such as flutes, string instruments, etc., such is haraam [forbidden].(*119)

IMAAM SHAAFI'EE:

In the book, Aadaabul Qadaa, Ash-Shaafi'ee is reported as saying, "Verily, song is loathsome [makrooh]; it resembles the false and vain thing [al-baatil]. The one who partakes of it frequently is an incompetent fool whose testimony is to be rejected."(*121) His closest and most knowledgeable disciples clearly stipulate that his position on this issue is that of prohibition (tahreem) and they rebuke those who attribute its legality to him.(*122) This is confirmed by the later Shafi'ite scholar, Ibn Hajar Al-Haythami. He related that one of Ash-Shaafi'ee's disciples, Al-Haarith Al-Muhaasibi (d.243 H) said, "Song is haraam, just as the carcass [maytah](*123) is." Furthermore, the statement that singing is haraam is found in the treatise, Ash-Sharh Al-Kabeer, by the authoritative Shafi'ite

scholar, Ar-Raafi'ee (d.623 H.). This is further corroborated by the accomplishedShafiiite jurisprudent, Imam An-Nawawi (d.676 H.) in his Rowdah.(*124) Such is the correct view of the dependable scholars of the Shafi'ite madhhab. However, due to limited knowledge and personal fancy and desire, a few of their latter-day scholars disagree with this view.(*125)

IMAM AHMAD BIN HANBAL:

Imaam Ahmad's(*126) position regarding this issue has been narrated in detail by the Hanbalite jurisprudent and Quranic commentator, Abul-Faraj Ibnul-Jowzi (d.597 H.) in his treatise, Tablees Iblees (Satan's deception). He tells us that ghinaa during Ahmad's era consisted primarily of a rhymed, rythmical chanting (inshaad) of poems(*127) whose purpose was to lead people to a pious, abstentious way of life. However, when such chanters began to vary their simple style to one of a throbbing, affected melody, the narrations regarding Ahmad began to differ. His own son and student, Abdullah, relates that his father said, "Singing(*128) sprouts hypocrisy in the heart; it doesn't please me." The scholar, Ismaa'eel bin Ishaaq Ath-Thaqafi, reports that Ahmad was questioned regarding one's listening to those poems (qasaaid) to which he replied, "I despise it, for it is a bid'ah [innovation]. Don't sit down to listen to its reciters." Abul-Haarith relates that Ahmad said, "At-taghyeer(*129) is an innovation," whereupon it was said, "But it sensitizes and softens the heart." Ahmad rejoined, "It is a bid'ah [blameworthy innovation]." Yaqoob Al-Haashimi narrates that Ahmad said, "At-taghyeer is a recent innovation," and Yaqoob bin Gayyaath reports him as saying that he despised at-taghyeer and prohibited one's listening to it.(*130)

Ibnul-Jowzi then mentioned some narrations related by Abu Bakr Al-Khlallaal and Ahmad's son Saalih, which indicate Ahmad's not being averse to poetry sessions. It is related that Ahmad heard a singer (qawwal) a didn't reproach him, whereupon Saalih said to him, "Oh father, didn't you used to criticize and censure such a thing?" Ahmad replied, "That was because I was told that they were doing reproachable things, so i despised it; as for this, I do not dislike it." Ibnul-Jowzi commented at this point, "Some of the scholars of our [Hanbalite] school mention that Abu Bakr Al-Khallaal (d.311 H.) and his disciple, Abdul-Azeez, permitted singing [ghinaa]. Such a statement refers to the spiritual poems [qasaaid zuhduyyaat] which were prevalent during their time. This is precisely the type of singing which was not disliked by Ahmad [as previously mentioned].(*131) Ahmad bin Hanbal attests to this in the instance where he was asked regarding a deceased person who left behind him a son and a [professional singing] slave-girl.(*132) The son then needed to sell her. Ahmad said that she was not to be sold on the basis of her being a singer. Upon this it was said to him that, [as a singer], she was worth thirty-thousand dirhams, whereas if she were sold only on the basis of her being simply a slave-girl, she would perhaps be worth only twenty dinars. Ahmad reaffirmed that she was allowed to be sold only on the basis of her being simply a slave-girl." Ibnul-Jowzi explained, "The reason Ahmad said this is because the singing slave-girl doesn't sing spiritual poems [qasaaid zuhdiyaat]; rather, she sings throbbing lyrics which incite passion in one's being. This is proof that such singing is haraam, for if it were not so, the incurred loss of the orphans son's wealth would not be permissible.(*133) Furthermore, it is reported by the jurisprudent Al-Mirwazi that Ahmad bin Hanbal said, "The earnings of the effeminate [mukhannath] singer are foul [khabeeth] because he doesn't sing spiritual poems, but rather, he sings erotic poetry [al-ghazal] in a licentious, cooing manner."

Ibnul-Jowzi concluded that it is obvious from what has preceded that the variant narrations relating to Ahmads dislike of (karaahah) or permission for singing depended upon the type of singing that was meant. As for the type of singing which is popular today,(*134) it would be forbidden according to

Ahmad's view. If only he could see what the people have added to it by way of innovation.(*135)

In conclusion, the general consensus of the companions, taabi'een and the following generations of Islamic scholars up to the present day, including the four Imams, points to the ruling of prohibition of music and song (other than the exceptions to be mentioned later).

THOSE WHO APPROVED OF SINGING AND ITS REFUTATION

There is agreement among the four imams that all musical instruments(*136) (ma'aazif) are forbidden. Shaykhul Islam Ibn Taymiyyah affirms this in his celebrated Fataawa where he says, "The madhhab of the four imams is that all instruments of musical entertainment are haraam [forbidden]. It is authentically related in Saheehul Bukhaari and other compilations that Prophet Muhammad (peace and blessings be upon him) foretold that some of his ummah would seek to make lawful: fornication, the wearing of silk, wine-drinking and musical instruments [ma'aazif]; and that such people would be turned into apes and swine. The term ma'aazif means musical entertainment, as has been mentioned by the scholars of the Arabic language. It is the plural of mi'zafah, the instrument upon which one makes musical sounds. None of the disciples of these imams has mentioned the existance of any dissension from the consensus on the prohibition of all instruments of musical entertainments."(*137)

It has been indicated that a few scholars see no harm in singing and/or in the playing of music. In order to remove any doubt from the reader's mind regarding this vital issue it is necessary not only to mention these scholars and their claims but also to establish the proof against them. Any such claims of permissibility made in reference to the noble companions or the four imams of the popular schools of jurisprudence have already been refuted in detail.

It is mentioned in various classical works that certain fuqahaa saw no harm in singing. Some of these early scholars(*138) are: Ibraheem bin Sa'd from the people of Madeenah, Ubaidullah Ibnul-Hasan Al-Anbari from Al- Basrah and Abu Bakr Ibnul-Khallaal from the Hanbalite scholars.(*139) The Shafi'ite faqeeh, Ibn Taahir, was mentioned earlier, and his claims were refuted in detail.(*140) Therefore, there is no need to mention him at this point. This reply regards what has been related in reference to the three above-mentioned scholars. It was narrated that they did not see any harm in simple ghinaa (singing), without musical accompaniment or licentious lyrics, etc. In addition to this, as has been previously detailed(*141) by Ibnul-Jowzi, Ibnul-Khallaal saw no harm in the recitation of spiritual poems (qasaaid zuhdiyaat) in a sweet and melodious voice. Therefore, even though those who would like to establish the ruling of permissibility sometimes exploit the positions of such scholars, it is futile, because what these scholars allowed is agreed upon by consensus and is not the point of contention (mahallun nizaa').

A group of later scholars often referred to as maintaining the view of permissiblility are Ibn Hazm,(*142) Ibnul-Arabi(*143) and Al-Ghazaali.(*144) Some of the gross misconceptions of the former two have already been refuted.(*145) A final reply to them is a quotation from the oft-repeated words of Ibn Hazm himself: "It is incumbent upon us that we do not accept the saying of any person after Allah's Messenger, unless such a person authentically relates it back to the Prophet (peace and blessing be upon him)." Being aware of the previously-established, clear ruling of prohibition given by the Prophet on this issue,(*146) it becomes one's obligation to reject all positions contradictory to his and to accept his decision as binding and final. Verily, Allah, the Majestic and Exalted, has made such an attitude of obedience to His Messenger the criterion of true faith (eeman). He says in His glorious

Quraan:

{But no, by thy Lord, they [Muslims] do not have [real] faith unless they make you [Oh Muhammad] judge of all disputes between them, and then find within themselves no dislike of your decision, but rather, submit with full submission.}(*147)

The latter scholar of this group, Al-Ghazaali, is often quoted by some(*148) as having maintained a view of permissibility. It must be made clear that he argued in favor of only innocent singing, physical sport and entertainment. Nowhere did he mention or argue in favor of the permissibility of musical instruments or musical accompaniment to singing. Thus, those who quote him as a proof for the legality of music commit a gross error and do him a great injustice, for they impute to him that which he himself did not claim.

As for the two traditions mentioned by Al-Ghazaali, neither one meets the criterion required as proof for permissibility. The first one refers to the 'Eed day festival when Aaishah listened to two young girls sing for her and beat upon a small hand drum (daff). The text of this tradition merely mentions an innocent form of singing Arabic poetry whose lyrics describe courage, noble manners and war.(*149) This is all permissible by unanimous consent and in no way lends itself as proof of the permissibility of music and/or singing to musical accompaniment.(*150) The second tradition mentions Aaishah as a child watching Ethiopian warriors perform physical feats and display their abilities with spears and shields. In Islam, physical exercises and exhibitions of skill and prowess are not only permissible but praiseworthy as well, especially if they are done for the purpose of keeping the body in physical and mental readiness for jihaad. It is essential to point out that in this hadeeth there is absolutely no mention of either music or singing and, therefore, is invalid as a defense for what has been claimed.

Thus, one may surmise that Al-Ghazaali argued for nothing more than that for which legality has been established and agreed upon. For the sake of argument, if Al-Ghazaali or any other scholar had argued for the permissibility of music and/or singing to its accompaniment, the reply would be precisely what has been stated in the case of Ibn Hazm and Ibnul-Arabi: When it is in contradiction to the authentic sunnah, one cannot accept the view of any other person after Allah's Messenger (peace and blessings be up on him.)

From what has preceded, it is no exaggeration to state that there is a general consensus of the scholars of the Islamic ummah regarding the prohibition of music and singing to musical accompaniment. This is true because the consensus (ijmaa') was accomplished by those whose ijmaa' is esteemed and binding: the companions, taabi'een, and the four famous and respected imams. These were the best of generations, as is witnessed by Allah's Messenger when he said, "The best of people is my generation, and then those that follow them, and then those that follow them."(*151) The fact that a few later scholars differed with these pious predecessors has no effect on their previously-established consensus. Rather, one must consider the later scholars' dissension as a clear example of deviation (shudhoodh) bearing no weight in the scale of the divinely-revealed shari'ah

THE WISDOM BEHIND ITS PROHIBITON BY THE DIVINELY REVEALED SHARIAH

Perhaps the most salient feature of the divinely revealed shari'ah is its all-encompassing benefit (maslahah) for the sake of mankind, regarding all aspects of their spiritual and material welfare. Thus, it is, that various ordinances in the form of divine legislation have been given to man, directing him to

pious works of worship (ibaadat)and social transactions (mu'aamlaat). Such works lead to spiritual peace and material prosperity. In accordance with Allah's infinite knowledge, wisdom and mercy, it is necessary that He(glorified be His praise) should prohibit certain things whose effects are evil and harmful to His slaves. This principle is perfectly epitomised in the following authentic tradition of the Prophet (upon whom be peace and blessings):

"By the One in Whose hand is my soul, there is not a thing which brings you nearer to Paradise and distances you from the Fire, except that I have directed you to it; and there is not a thing which brings you closer to the Fire while distancing you from Paradise, except that I have prohibited it for you."(*152)

From the foregoing hadeeth , as well as other texts of the Quraan and sunnah, the scholars of usool(*153) have formulated certain vital objectives (maqaasid) of the divine law. Among these is the principle that nothing has been ordained for man except that which is for his own good and benefit, while nothing has been prohibited except that which is harmful and detrimental to his welfare. With this principle in mind, one perhaps can have a general understanding of the infinite, divine wisdom behind the prohibition of music and its adjuncts. Its potential moral, spiritual and social evils are a danger to the Muslim individual as well as the Islamic community at large.

In order to convey some of the divine wisdom behind prohibition, it is useful to quote a few excerpts from the writings of the authoritative scholar, Ibnul-Qayyim,(*154) who has dealt with this subject extensively.(*155) In the section which exposes Satan's deception of those who claim "spiritual mysticism" (tasawwuf)(*156) in their dancing, singing and listening to music, he says, "From among the artful machinations and entrapments of Allah's enemy [Satan], with which he has snared those possessing little good sense, knowledge and deen [faith], and by which he has stalked the hearts of the false and ignorant people, there is the listening to whistling, wailing, handclapping and song to the accompaniment of forbidden [musical] instruments.(*157) Such things block the Quraan from people's hearts and make them devoted to sin and disobedience. For song [to musical accompanient] is the Quraan(*158) of Ash-Shaytaan (Satan). It is a dense veil and barrier, preventing nearness to Ar-Rahmaaan!(*159) By way of such song, Satan deceives vain souls, making it appear pleasing to them through his cunning appeal to their vanities. He insidiously whispers false, specious arguments suggesting the 'goodness' in song. These arguments are accepted, and as a result, the Quraan becomes an object of neglect and abandonment."(*160)

Ibnul-Qayyim describes in detail the physical and emotional change which overcomes the "Sufis" when they begin to hear such song and music. They begin to strike their feet in time to the rhythm, ans swaying effeminately to the tune, they whirl to a frenzy, screaming and wailing and tearing their clothes, like donkeys around the axis of a grinding mill. Such a laughing stock is the very joy of the enemies of Islam.(*161) Yet such people pretend that they are the very "elite"(*162) of Islam while taking their deen as an amusement and pastime. Hearing the [musical] instruments of Satan is dearer to them listening to the recitation of the Quraan.(*163)

He concludes by saying that "the result of preoccupation with song and music is that you never find its devotee other than astray from the path of guidance, in thought and deed. Such a person develops an aversion to the Quraan and a devotion to song. If he were offered a choice between listening to song/music or the Quraan, he would most certainly choose the former over latter, the audition of which is like a heavy burden upon him."(*164)

Later on in his treatise, Ibnul-Qayyim specifies other aspects of the divine wisdom: "Therefore, know song has particular characteristics which faint the heart, causing hypocrisy to sprout therein, just as water sprouts plants. Among its qualities is that it distracts the heart and prevents it from among contemplation and understanding of the Quraan, and from applying it.(*165) This is because Quraan and song can never coexist in the heart, since they are mutually contradictory. For verily, the Quraan forbids the pursuing of vanities and ordains restraint of the souls passions and temptations to evil. Song, on the other hand, encourages the very opposite of these virtues, as it excites the hidden inner self and entices the soul to inequity by driving it towards every shameful desire..."

Among the signs of hypocrisy is one's rarely remembering Allah(*166) and one's laziness in rising to prayer along with its poor performance. Seldom do you find one infatuated by song except with such blameworthy attributes.

"Furthermore, hypocrisy is based on falsehood, and song contains the falsest lyrics. It attempts to beautify the abominable and encourages it, while seeking to make ugly and discouraging that which is good. Such is the very essence of hypocrisy. A person's addiction to song peculiarly makes listening to the Quraan a heavy weight upon his heart, hateful to his ears. If this is not hypocrisy, then hypocrisy has no reality."(*167)

Needless to say, the preceding exposition highlights the negative effects of music and song upon the Muslim. These effects induce in him hypocrisy, vice, neglect, vanity and a host of other attendant evils, the worst of which is its insidious ability to turn the devotee away from remembrance of Allah, His Book and His deen.

The adverse ramifications of music and song and their various attendant evils are well known facts experienced by all enlightened, thinking believers.(*168) It is this reality which has convinced a host of prominent American and European musicians and singers who have embraced Islam to leave this vile and ignoble profession(*169) **{And verily, Allah guides the believers to a straight path.}**(*170)

Footnotes

(*93)The ijmaa' (consensus or agreement) of any generation of scholars on a certainreligous issue is binding upon the following generations. The Prophet has related in various traditions that the scholars from among his ummah (community) will never at a conensus that contains misguidance or error. Allah, the exalted, protects them from his. Because they were the closest generation to the Prophet, the companions were the most qualified to arrive at a consensus (ijmaa').

(*94)Muhammad bin Taahir Al-Maqsadi (448-507 H.). Ad-Dhahabi says he has known to err and distort narrations of hadeeth in a gross manner (Meezanul I'tidaal, vol. 4, p. 587). Ibn Hajar says he deviated from the path of ahlus sunnah to a type of displeasing tasawwuf (mysticism). The critical scholars of hadeeth do not accept his transmissions because of his distortion of texts and errs in conveying them. Furthermore, he has written in defense of the permissibility of staring at young boys with sinful intent and his madhhab was one of licence (al-ibaadah). For details see, Ibn Hajar's Lisaanul Meezan, vol. 5, pp. 207-210.

(*95)In his treatise, Kaffur Ra'aa'an Muharramaaatil Lahwi was Samaa'a (Desistance of the Rabble from Partaking of Unlawful Amusements and Audition Thereof), p. 25.

(*96)Kaffur Ra'aa, p. 65.

(*97)They listened to permissible recitations of poetry, chants or melodious songs by youths. They were lawful because they were not accompanied by musical instruments, nor were the words or methods of singing licentious.

(*98)Kaffur Ra'aa, p. 66.

(*99)The disputed type is other than the singing of innocent songs (without musical accompaniment) or the chanting of poetry and hymns which are pure and clean in subject matter and in form of delivery.

(*100)Quoted from Kaffur Ra'aa, p. 67.

(*101)Condensed from p. 67 of Kaffur Ra'aa. As for the types of song and music permitted by consensus, this refers to those particular examples of exception to the general rule of prohibition as mentioned in the authentic sunnah of the Prophet and the example of the companions. These examples will be dealt with in the latter part of this treatise.

(*102)Page 293 of his book, Al-Halaal wal Haraam.

(*103)It is incumbent upon anyone who makes a statement in religion to bring the isnaad (the chain of transimtters) on which that statement depends. No statement carries any value whatsoever unless its claimant presents the isnaad. Otherwise, as pointed out by the critical scholars of hadeeth, one could say whatever he wants in matters of religion. Any statement not supported by a validly related authentic isnaad is useless and rejected.

(*104)See Soorah Luqmaan, 31:6.

(*105)Authentically related by Al-Bayhaqi, Ibnul-Mundhir and others.

(*106)See Al-Qurtubi's tafseer, vol. 14, pp. 51-52, and Al-Aaloosi's tafseer, Roohul Ma'aani, vol. 21, pp. 66-68.

(*107)See pp. 67-68 of Kaffur Ra'aa; Al-Qurtubi's tafseer, vol. 19, p. 51 and Shaykh Saalih Fowzaan's Al-'Ilaam bi Naqdi Kitaabil Halaali wal Haraam, pp. 72-74.

(*108)The first of the four famous imaams. He was born in Koofah, Iraq in the 80th year of the Hijrah. He died in Baghdad in the year 150 H. See Adh-Dhahabi's Seeyar A'laamin Nubalaa, vol. 6, pp. 390-403.

(*109)Such as flutes, pipes, horns and related wind instruments.

(*110)Small hand drums without steel jangles. This permitted type is to be used on certain restricted

occassions as designated by the sunnah, the details of which will follow.

(*111)Testimony given by witnesses concerning matters or crimes involving punishments is only accepted from trustworthy, obedient Muslims.

(*112)In shari'ah, the mere suspicion of vice is not sufficient to warranat invasion of privacy by the authorities. Here, however, the violation is not confined to the privacy of the home and should be prevented, even forcibly, to avoid corruption of society.

(*113)Quoted from 'Ownul Ma'bood Sharhu Sunan Abi Dawood, vol. 13, pp. 273-274.

(*114)Stated by Abut Teeb Taahir At-Tabari and quoted in Al-Qurtubi's Al-Jaami'li Ahkaamil Quraan, vol. 14, p. 55.

(*115)He was born at Madeenah in the year 93 of the Hijrah and died there in 179H. For details of his life and times, see Qaadi Ayyad's Tarteebul Madaarik, vol. 1, pp. 107-147.

(*116)In the time of Prophet Muhammad (peace be upon him), the world economy was almost completely based upon the institution of slavery. Wisdom and foresight demanded a gradual elimination of this deeply rooted social system. The Islamic method was to limit the ways in which slaves could be taken to only one - jihaad (lawful warfare), while at the same time imposing conditions under which a slave must be freed and encouraging the freeing of believing slaves as an act of worship which brings one closer to Allah. Mistreatment of slaves was strictly prohibited and they were always entitled to respect as human beings. These guidelines protecting slaves are still applicable today.

(*117)The previous sayings related to Maalik were quoted from Ibnul-Jowzi's Talbees Ibless, p. 229.

(*118)Al-Jaami'li Ahkaamil Quraan, vol. 14, p. 55.

(*119)Ibid., vol. 14, p. 54.

(*120)He was born 150 H. in Gazzah in Palestine. He died and was buried in Cairo, 204 H. Details of his life and works are chronicled in Al-Bayhaqi's Manaaqibush Shaafi'ee.

(*121)See Al-Qurtubi's tafseer, vol. 14, p. 55 and Ibnul-Jowzi's Talbees Iblees, p. 231. Also refer to footnote no. 111.

(*122)See 'Ownul Ma'bood, vol. 13, p. 274.

(*123)Designates the carcass of the animal which has not been slaughetered in a manner acceptable to the shari'ah, but has died in a manner rendering it unlawful for food, such as dying from a disease, accident, naturally or by being hit by a blow, etc. However, the skin of such an animal may be used after proper curing.

(*124)Kaffur Ra'aa, p. 61.

(*125)Talbees Iblees, pp. 230-231. A sample of such scholars along with a refutation of their position will follow in the next section of this work.

(*126)He was born in Baghdad, 164 H. and died there in 241 H. See the excellent biography of his life as narrated by Ibnul-Jowzi in his Manaaqib Al-Imam Ahmad bin Hanbal.

(*127)In Arabic these are called qasaaiduz zuhd.

(*128)"Singing" here means without musical accompanient.

(*129)Indicates a change in the state of mind or disposition of a person who appears "overcome" by the mention (dhikr) of God in supplication (du'aa) performed in a humble, humiliating stance. Those who partake in this experience of being "overcome" are moved to extreme delight or grief by the manner in which such poetry is delivered. It is usually delivered in an affected, throbbing style which moves them to dance and gyrate to the beat and melody of such rythmic poems. Because of this "change" (taghyeer) which overcomes them, they were called al-mughayyarah. Refer to Talbees Iblees, p. 330.

(*130)Talbees Iblees, p. 228.

(*131)All of these scholars, including Ahmad, did not mind a certain type of chanting, singing and recitation of poetry or stories, etc. without musical accompanient or other prohibited aspects.

(*132)Refer to footnote no. 116.

(*133)The loss incurred by selling the slave girl not as singer but as an ordinary worker.

(*134)This statement was made during the 6th century of the Islamic era. Therefore, what could be said of what we hear and see of music and singing today!

(*135)Talbees Iblees, pp. 228-229.

(*136)Other than the simple hand drum known as the daff, because of authentic hadeeths allowing it on specific occasions as an exception to the general rule of prohibition.

(*137)Quoted from Ibn Taymiyyah's Majmoo'ul Fataawa, vol. 11, p. 576.

(*138)From the first and second century of the Islamic era.

(*139)See p. 55, vol. 14 of Al-Qurtubi's Al-Jaami'.

(*140)Refer to the section under the title, "The Position of the Companions on this Issue."

(*141)See the preceding section, entitled "Imam Ahmad bin Hanbal," for details.

(*142)Who died in the year 456 of the Islamic calendar.

(*143)He lived during the years 435-532 of the Hijrah.

(*144)He was born in the year 450 H. and died in 505 H.

(*145)Refer to the section on the sunnah, entitled "The Traditions and their Degree of Authenticity: The Narration of Al-Bukhaari."

(*146)Refer to the whole of the section, entitled "A Critical Analysis of the Hadeeth Literature" (on the issue of the ruling regarding music).

(*147)Soorah An-Nisaa, 4:65.

(*148)Such as Yoosuf Qardaawi in his Al-Halaal wal Haraam Fil Islam, pp. 292-293.

(*149)See Ibnul-Qayyim's Madaarijus Saalikeen, p. 493.

(*150)Other than that permitted by the texts of the authentic sunnah, namely the small hand drum (daff).

(*151)Authentically related by Imam Al-Bukhaari.

(*152)Authentically related by Ahmad and Ibn Khuzaymah.

(*153)The science outlining a methodology whereby a legal ruling issue may be derived, based upon the texts of the Quran and sunnah, or upon principles extracted from these two texts.

(*154)Imam Abu Abdullah Muhammad bin Ani Bakr (691-751 H.), popularly known as Ibn Qayimmil Jowziyyah. He was one of the most erudite scholars of the Quraanic and hadeeth sciences and mujtahid in his own right. He was the most brilliant of the many disciples of Shaykhul Islam Ibn Taymiyyah.

(*156)They claim that dancing, singing and music raise their "spiritual conciousness" and elevate them to a higher "mystical level", thus bringing them nearer to the divine presence!!

(*157)Whenever he uses the word song or singing (ghinaa), he means the forbidden form to musical accompanient.

(*158)Literally, "reading "or "recital" used here with this general meaning in mind. Thus, such song is the "revelation" and "sacred recital" of Satan; whereas the text of the inimitable Al-Quraan Al-Kareem is the revelation of Allah and the sacred recital of His word.

(*159)Ar-Rahmaan, an attribute of Allah, means the One who has absolute mercy for all of His creations.

(*160)Page 224, vol. 1 of Ighaathatul Lahfaan.

(*161)Such as the Orientalists, missionaries and others who use the misguided deeds and beliefs such

Muslims to suggest that Islam is without sense and decorum.

(*162)According to their reasoning, "elite" (khawwaas) means "the holy people" or "special chosen people" who follow one of their Sufic "paths".

(*163)Condensed from Ighaathatul Lahfaan, vol. 1, p. 224.

(*164)Ibid., vol. 1, p. 241.

(*165)Obeying its commands, desisting from its prohibitions and adhering to its guidance, in all walks of human life.

(*166)This refers to dhikrullah, the rememberance of Allah in the heart and on one's tongue, by mentioning His beautiful names and by praising and glorifying Him. The loftiest form of dhikr is reading Allah's Book with contemplation and understanding.

(*167)Abridged from Ighaathatul Lahfaan, vol. 1, pp. 248-250.

(*168)All Muslims having a backgroung in the West can vouch for the manifold evils associated with music and song evident in so-called funk, soul, rock, acid rock, punk rock, blues and jazz. It is essentially libidinous, sexual music which drives ones passions and animal desires to a frenzy. Its objectives (especially when coupled with calculated themes embodied in certain lyrics) are sex, violence, desperation, suicide, hedonism and nihilism. In fact, every foul passion, sense, feeling, idea or thought is embodied in this demonic medium. It is truly another of Satan's many vehicles harnessed in his apparent "joy ride" to Hell, the foulest destination and final abode of such evil doers.

(*169)A special case in point is the enlightened Yousuf Islam (originally Cat Stevens), formerly a prominent singer from Britian. Would that others of our western brothers take him as a noble example to follow.

(*170)Soorah Al-Hajj, 22:54.

EXCEPTIONS TO THE RULE OF PROHIBITION AS INDICATED BY THE AUTHENTIC SUNNAH

Having established beyond a doubt the general ruling of prohibition regarding this issue, it should be stressed that Islam does not totally forbid all music and song. There are occasions when certain forms of music and song are lawful. The only way to determine these occasions is to refer to the texts of the authentic sunnah of the Prophet (upon whom be peace and blessings). In the highly-balanced Islamic system there is room for amusement, merriment and sport, for these are natural yearnings of the human soul. However, Islam provides facility for healthy, decorous merriment and sport which are pure and free from the usual sin and evil generated by the prohibited forms.

EXAMPLES OF OCCASIONS SPECIFIED BY THE SUNNAH

JIHAAD AND ITS ADJUNCTS:

During jihaad and other struggles in the way of Allah, battle songs are of great spiritual and moral benefit to the warriors. In these circumstances, song incites heroism and valor and excites the Muslim people to "take up the sword" for the cause of Allah, the Glorified and Exalted, so that His word may be raised up and the word of the disbelievers relegated to the lowest depths.

Thus, the Messenger and certain of his companions (such as Khaalid Ibnul-Waleed and Ali bin Abi Taalib) sometimes resorted to this method to rouse up the feelings of the mujaahideen (*171) before or on the way to combat. The text of the following hadeeth clearly indicates this:

Al-Baraa reported that Allah's Messenger (peace and blessings be upon him) carried earth on the Day of the Ditch (*172) until his stomach was covered with dust, while he chanted these verses:

"By Allah, if not for Him we never would be guided, nor have been charitable, nor have prayed. So send down peace and tranquility upon us, and make the feet firm if we meet [our enemy]. Verily, the others rebelled against us. When they (*173) desired discord [fitnah], we refused, we refused."

The Prophet raised his voice with the refrain, "we refused, we refused." (*174)

In another narration of Al-Bukhaari, the Prophet and his companions sang in chorus as related herein:

Anas related that while digging the trench around Madeenah, the Muhaajireen and the Ansaar (*175) began chanting these verses: "We are the ones who've pledged fealty to Muhammad; that we remain always constant in Islam." The Prophet replied in turn, "Oh Allah, there's no good but the good of the Hereafter, so bless the Ansaar and Muhaajirah."

The Battle of the Ditch took place during the 5th year of the Hijrah. The enemies of Islam, the Quraysh, numbered 24,000 and were aided by the Hews, Christians and the hypocrites. The Prophet, on the other hand, had about 2,000 Muslims with him to combat the enemy. He participated in digging and carrying the soil from the ditch like an ordinary laborer and began singing these verses composed by the poet Abdullah bin Rawwaahah. He emphasized the refrain by raising his voice and prolonging it so that everyone heard. (*176) In this circumstance, song united the hearts of the

believers and gave them courage and determination. And by Allah's grace, the enemy was thoroughly beaten.

It must be mentioned that some early fuqahaa were of the opinion that the drum (at-tabi) is also allowable in war. To this, some latter-day scholars added "military music." The eminent authority of hadeeth literature of our present era, Muhammad Naasiruddeen Al-Albaani, has satisfactorily refuted these last two views in his treatise, Sissilatul Ahaadeeth As-Saheehah, where he states:

There is nothing at all to support such viewpoints for the following reasons: Firstly, they constitute specification of and exception to the [general ruling of] traditions which established prohibition, without a valid, pertinent text to justify it. Rather, they are mere opinion and personal approval. Secondly, it is expected of Muslims that during was they should turn to their Lord with their very hearts, seeking from Him victory over the enemy. That is more conducive to achieving calm and tranquility in their souls. As for music, it thwarts such an objective and turns them away from remembrance of and concentration upon their Lord. Allah, the Exalted says **{Oh believers, when you meet the enemy forces, think of Allah much [by mentioning His praises], that you may be successful.}** (*177) Thirdly, the use of the drum and military music are the practices of the disbelievers **{who do not believe in Allah or the Last Day, and who do not prohibit that which has been forbidden by Allah and His Messenger, nor do they follow the Religion of Truth.(*178)}** (*179) Hence, it is not permissible for us to resemble them,(*180) especially regarding that which has been generally forbidden for us by Allah, the Blessed and Sublime.(*181)

THE CELEBRATION OF THE TWO ' EED FESTIVALS:

During the days of festivity which mark the celebration of the great Islamic festivals, innocent singing and beating on the daff as a rhythmical accompaniment is permissible as indicated by a number of texts of the authentic sunnah such as the following from Al-Bukhaari's compilation:

Aaishah said, "Allah's Messenger (upon whom be peace and blessings) entered into my presence while two young girls were singing the songs of Bu'aath (*182) whereupon he laid down and turned his face away. Abu Bakr entered and scolded my saying, 'The flute of Satan in front of the Prophet?!' Allah's Messenger (upon whom be peace and blessings) turned to Abu Bakr saying, 'Leave them be.'" Aaishah continued, "When the Prophet dozed off, I signaled to them and they left." In another narration of Al-Buhkaari, Aaishah mentioned that [her father] Abu Bakr came to her during the days of Mina (*183) There were two young girls with her, beating upon the daff, while the Prophet was covered with his cloth. Then Abu Bakr began scolding the girls, whereupon the Prophet disclosed his face [from under the covering] and said, "Leave them, Oh Abu Bakr, for these are the days of the 'Eed festival."

THE WEDDING FEAST:

Likewise, it is permissible to let the women and young girls sing (*184) and beat upon the daff during the wedding feast. The singing must be innocent and not describe love or acts of immorality. Singing and beating upon the daff serves to proclaim the occasion of the wedding and brings joy to the wedding guests. The following tradition points to this fact:

Muhammad bin Haatib Al-Jumahi relates that the Messenger of Allah said, "The demarcation

between the unlawful and the lawful [in marriage] is the daff and the voice." (*185)

There are numerous other traditions which indicate the Prophet (upon whom be peace and blessings) encouraging women to sing and beat the daff. The following hadeeth is an appropriate example:

Aaishah (may Allah be pleased with her) related that the Messenger of Allah said, "Proclaim this marriage, solemnize it in the mosque and beat the daff upon its occasion." (*186) In the following traditions we see the Prophet's encouragement of singing to the accompaniment of the daff: Aaishah reported that a woman was given in marriage to a man of the Ansaar. The Prophet of Allah said, "Oh Aaishah, was there no entertainment, for the Ansaar are pleased with entertainment." [Related by Al-Bukhaari.] In another narration, the text indicates that the Prophet said to Aaishah, "did you send a young girl wit? the bride to beat upon the daff and sing?" Aaishah replied, "What should she say in her song?" He replied, "Let her say, 'To you we have come, to you we have come! So welcome us, as we welcome you!'" (*187)

This was also the practice of the noble companions as indicated in the following narration:

Aamir bin Sa'd (may Allah be pleased with him) said, "I entered into the presence of Qaradha bin Ka'b and Abi Mas'ood Al-Ansaari during a wedding celebration, where some girls were singing. (*188) I said, 'Oh companions of Allah's Messenger and warriors of Badr, is this done in your presence?' They said, 'Sit and listen with us if you like, and if not, then leave. For verily, entertainment has been permitted for us during the wedding feast." (*189)

It should be stressed that the aforementioned singing and playing upon the daff is restricted to women and young girls and is not meant for men. Ibn Hajar Al-Asqalaani said, "An attempt has been made to prove the view that singing and beating upon the daff is not restricted to women, by quoting the command of the Prophet, 'Beat the daff upon its occasion.' (*190) This is weak, where as the strongest narrations indicate that permission has been given to women; so men are not to be included in this category, for there is general prohibition of men resembling women." (*191) Shaykh Muhammad al-Mubaarakfoori added, "Such is the case with the permissible form of singing at the wedding feast; it is specifically for women and not for men." (*192) Shaykhul Islam Ibn Taymiyyah confrims this in his celebrated Fataawa where he says, "The Prophet (upon whom be peace and blessings) allowed certain forms of amusement at the wedding festivity and similar celebrations. During the Prophet's era, none of the men used to beat upon the daff or slap his hands [in rhythm]. Rather, it has been authentically related that the Prophet said, 'Clapping is for women and tasbeeh (*193) is for men,' (*194) and he cursed 'women who resemble men, and men who resemble women.' (*195) Since singing and the beating of the daff are the practices of women, the predecessors (*196) used to call a man who did them effeminate. In addition, male singer were also termed effeminate." (*197)

THE ARRIVAL OF A RESPECTED PERSONALITY:

Celebrating may be done at the arrival of a respected guest, relative or personality, such as a pious scholar, or at the return of Muslim warriors (mujaahideen) or a long-estranged loved one. In these cases, innocent poems and songs may be sung to the accompaniment of the simple daff. (*198) This point is proven in a number of traditions such as the following one, wherein a woman had made a vow to beat upon the daff in the Prophet's presence if he arrived safely from one of his military

expeditions:

Amru bun Shu'ayb related from his grandfather that a woman said, "Oh Messenger of Allah, verily, I have vowed to strike upon the daff (*199) in your very presence." He replied to her, "Fulfill your vow." (*200)

The following narration of At-Tirmidhi clarifies who the woman was and why he permitted her to do so:

Buraydah said, "Allah's Messenger left for one of his expeditions and upon his return, a black slave-girl came to him saying, 'Oh Messenger of Allah, verily, I vowed that if Allah returned you safely I would beat the daff and sing (*201) in your presence.' (*202) Allah's Messenger said to her,' If you made a vow, (*203) then fulfill it by beating the daff, otherwise don't.' (*204) Upon this she began to beat the hand drum, during which Abu Bakr entered, then Ali, followed by Uthmaan. Upon Umar's entering, she threw the daff under her backside and sat on it, whereupon Allah's Messenger said, 'Verily, Satan fears you, Oh Umar!'" (*205)

On other occasions such as the Prophet's arrival at Madeenah and upon his return from the Battle of Tabook, (*206) joy was expressed in the singing of poetical songs. It is mentioned in the biographies of the Prophet, (*207) that at his arrival from Makkah, the Ansaar of Madeenah came out to greet him (even women, along with children and infants), chanting these verses:

The full moon (*208) has risen upon us
Over the hills of Wadaa' (*209)
Gratitude is incumbent upon us (*210)
Each time a petitioner calls upon Allah.

Additionally, the people of Madeenah welcomed Allah's Messenger in a similar fashion upon his safe return from his expedition to Tabook during the ninth year of the Hijrah. (*211)

OTHER OCCASIONS AGREED UPON BY THE SCHOLARS

Other occasions during which innocent singing is permissible have been mentioned by the scholars of Islam. For example, in order to give one strength in carrying heavy loads or doing laborious, monotonous work, pure songs with clean lyrics may be resorted to individually or in chorus, as was done by the Prophet and his companions in digging the trench around Madeenah. During long travels by horse, camel or other riding animals, one may sing or chant rhythmically to relieve boredom and to quicken the animal's pace, as was done by the Arabs during their travels by caravan. The Prophet's camel driver, Anjashah, was known to do this as a way of getting the beasts to move at faster pace. (*212) In addition to this, innocent singing to one's self during loneliness or boredom is allowed, as well as a parent's singing to a baby or small child in order to amuse it, to quiet it or to put it to sleep.

In conclusion, songs whose lyrics heighten spiritual consciousness and encourage people to pious works, such as prayer charity,jihaad, etc. are all praiseworthy, (*213) but these should be resorted to in moderation, on appropriate occasions and according to proper decorum.

OCCASIONS DIFFERED UPON BY SCHOLARS: A CRITICAL ANALYSIS AND

REFUTATION

Pertinent texts from the authentic sunnah which identify the various occasions during which the permissible form of singing (ghinaa) and/or the beating of the daff is appropriate, were mentioned previously. They were then followed by a specification of certain other occasions generally agreed upon by the dependable scholars. At this point it is necessary to focus attention upon a vital question which issues from what has preceded: Is one required to stick to the specific occasions limited by the sunnah and agreed upon by the scholars regarding singing and the use of the daff, or can their use by extended to other occasions, without limit?

As will be clearly proven, Muslims are bound by the specific occasions and circumstances specified by the sunnah and agreed upon by the scholars. It is necessary to lay background for this discussion.

Some of the jurists affiliated with one or another of the jurisprudential schools of thought have argued that the reason ('illah) for allowing singing and the beating of the daff on the occasions previously mentioned (such as the 'Eed festivals, wedding celebrations, etc.) is that these are times of happiness and joy, and that singing and beating the daff help to achieve this objective. On this line of reasoning, they argue that both things are allowed upon all occasions of joy. (*214) The following argumentation suffices as a candid refutation of their unfounded claims.

Firstly, it has been established from various authentic texts of the sunnah that the general ruling regarding music and song is tahreem (prohibition). Those specific instances where a certain type of singing and beating upon the daff is allowed are exceptions (istithnaa) to that general ruling of tahreem. According to the principles of usool, the limited bounds of exceptions (mustathna'aat) to an established rule are not to be widened in scope; nor can analogy (qeeyaas) be applied to an exception (mustathna) from the general ruling. (*215) The following example clarifies this concept.

To strut in pride and arrogance (at-tabakhtur) is strictly prohibited for a believer, as the Prophet warned, "Whosoever has in his heart pride (*216) to the extent of a mustard seed will not enter Paradise. (*217) Yet, in spite of this general ruling of prohibition, at-tabakhtur is allowed during true jihaad (*218) against the enemy; a clear and limited exception to the general rule. However, it would not be allowed, by way of analogy or through a widening (tawassu) of the strictly limited bounds of such an exception, for the players of a Muslim national football team to strut in pride and arrogance during a game or after their victory over an opposing non-Muslim team. This is because at-tabakhtur is totally prohibited, except for the one, single mentioned circumstance of true jihaad. Other circumstances cannot be included in the category of exceptions (mustathna'aat) unless there is proof to substantiate them, such as valid texts from the Quraan, the authentic sunnah or ijmaaa' (consensus) of the companions or later scholars. Similarly, qeeyaas (analogy) cannot be validly applied here, for qeeyaas must be made upon an original ruling of permissibility. Here the original ruling is prohibition. In conclusion, those who attempt to overstep the bounds and limitations of an exception to a general ruling by adding other objects or circumstances to its restricted category, or attempt to apply analogy in such a case, contradict the established rules of usoolul fiqh. As a result they render their position mistaken, baseless and subsequently, untenable.

Secondly, there are no authentically-related traditions which indicate that singing or the daff were resorted to upon the constant occurrence of "joyous occasions" (*219) (al-munaasabaat as-saarrah) during the Prophet's auspicious era and during the era of the rightly-guided caliphs and gracious

companions. Had such a thing occurred even a few times on such numerous opportunities, it is most unlikely (*22) that it was not related at all! Rather, the lack of a pertinent narration regarding this particular point clearly indicated that this was not done during the Prophet's blessed time (Allah's peace and blessings be upon him). As for the era of the four rightly-guided caliphs and the illustrious companions (may Allah be pleased with them all), there is one related narration (athar) regarding the second caliph, Umar Ibnul-Khattab, which is often mistakenly used by some scholars to "prove" that other joyous occasions besides those documented fromhadeeth literature can be included in the category where singing and the daff are allowed. The Arabic text and its translation follow:

Abdur-Razzaaq related from Mamar through Auuoob by way of Ibn Seereen that if Umar Ibnul-Khattab heard a voice [singing] or the beating of the daff, he would ask, "What's that?" If he was told it was the occasion of a wedding [feast] or a circumcision [ceremony] he would remain silent. (*221)

This and other similar narrations (*222) regarding Umar's silence on such occasions are erroneous and are not valid proof because they are weak (da'eef). There is a break in the sanad (chain of transmitters) between Ibn Seereen and Umar Ibnul-Khattab, who died thirty years before the former was born. (*223) Consequently, there is no documented evidence that our pious predecessors (as-salaf as-saalih), especially the best of generations, the companions, and their followers (taabi'een), went outside the limited scope of that which was allowed by authentic texts of the sunnah. On the contrary, there exists a number of authentic aathaar which clearly indicate the companions and taabi'een being averse to the unbridled use of the daff. (*224) They considered its unrestricted use to be prohibited. Following are two examples (*225) which suffice for the present puropose:

In the first text, it is reported that Qaadi Shurayh (*226) heard the sound of the daff (being played), whereupon he said, "Verily, the angels do not enter the house in which a daff is played." (*227) It was reported by Ibn Abi Shaybah with a good (jayyid) sanad. (*228) The second text states that Ibraheem An-Nakha'I (*229) said, "The disciples of Abdullah [Ibn Mas'ood] used to confront young girls who had dufoof with them (*230) in the narrow alleyways, confiscate their instruments and break them up." (*231)

Finally, it should be pointed out that if every joyous occasion were used as an excuse for singing and beating upon the daff, there would be no end or limit to their usage. (*232) This is in contradiction to the letter and spirit of the Islamic view regarding this issue. The "letter" is embodied in the clearly-established ruling of prohibition of musical instruments (music) and singing, deduced from the authentic and clear texts of the sunnah, and the "spirit" of the Islamic view lies in a minimal involvement of the believers in such amusements and pastimes within the bounds and limits set by the divinely-revealed shari'ah. Ibn Hajar aptly summarizes the Islamic attitude regarding this question in his commentary of Al-Bukhaari's compilation where he says, "The basic principle to be borne in mind regarding this issue is that one should be above all amusement and play and refrain from them, except that which is specified as permissible (*233) on the authority of a valid text – and then too – only according to the stipulated time (*234) and way (*235) in which such [excepted] things are to be performed." (*236)

In short, the dependable view regarding occasions other than those documented by authentic texts and agreed upon by scholars is that they cannot be validly included along with the latter, due to overwhelming evidence. Those who hold the opposite view have no valid evidence to support their

position. Their mere opinion is based on personal preference (*237) and bears no weight whatsoever in the scales of the shari'ah.

Footnotes:

(*171)Those who fight soley for the cause of Allah and for the establishment and protection of Islam and its followers.

(*172)i.e. during preparation for the "Battle of the Ditch," which was achieved by excavating a ditch surrounding the city of Madeenah, in order to prevent the enemy from storming the city.

(*173)The reference is to the disbelievers who rebelled against the call of the Prophet and his companions inviting them to Islam. They reacted by trying to make the companions apostates by torturing them, by confiscating their property and wealth and by killing them. However, they stood fast in their belief and refused this fitnah (discord and tribulation), consequently being rewarded with victory.

(*174)Reported in the compilations of Al-Bukhaari and Muslim.

(*175)The Muhaahireen are those companions who emigrated to Madeenah in obedience to divine orders. The Ansaar were the people of Madeenah who belived and supported the Prophet (may Allah bless him and grant him peace).

(*176)For details, see Mirqaatul Mafaateeh, vol. 9, p.236.

(*177)Soorah Al-Anfaal, 8:45.

(*178)Islam.

(*179)Soorah At-Towbah, 9:29.

(*180)As is mentioned in many specific as well as general texts of traditions such as the authentically-related hadeeth in Sunan Abi Dawood: "Whosoever resembles a people is one of them."

(*181)The preceding quotation is from Silsilatul Ahaadeeth As-Saheehah, vol. 1, p. 145.

(*182)The songs of Bu'aath contained lyrics commemorating the battle which took place between two warring tribes from the Ansaar of Madeenah, the 'Aus and Khazraj.

(*183)During the three days after the 'Eed day of sacrifice, which occur during the major pilgrimage (Hajj) at Mina.

(*184)They must sing in total privacy and out of men's eyesight and hearing, otherwise the result would be a clear invitation to immoratily and vice.

(*185) This authentic hadeeth was related by At-Tirmidhi and others. Some scholars too as-sowt (the voice) to mean announcing the wedding among the people and making its occurrence well known. As eill be seen in texts to be mentioned shortly, others are of the view that it refers to the permissible form of singing. For details, see Tahfatul Ahwadhi, vol. 4, p. 208.

(*186)Reported by At-Tirmidhi, Ibn Hibbaan and others, with an authentic chain of narrators.

(*187)Authentically related by At-Tabaraani and others.

(*188)The girls referred to were still children and not "young ladies" as it is sometimes wrongly assumed.

(*189)Authentically related by An-Nasaa'i.

(*190)Upon the occasion of the wedding feast.

(*191)As indicated in authentic narrations of Ahmad bin Hanbal and At-Tabaraani.

(*192)See Tahfatul Ahwadhi, vol. 4, p. 210.

(*193)One's glorifying Allah by reciting certain specific invocations.

(*194)Authentically related by Al-Bukhaari and Muslim.

(*195)Authentically related by Ahmad and others.

(*196)This term refers to the best of the early generations of Islamic scholars after the Prophet's time, such as the companions, the taabi'een and their followers, including the four imams.

(*197)See vol.11. p.565 of Ibn Taymiyyah's Majmoo'ul Fataawa.

(*198)Similar to the tambourine without the small jingling discs.

(*199)She vowed to do so in expression of joy and thanks for the safe arrival of the Prophet from one of his expeditions. See Mirqaatul Mafaateeh, vol. 7, p.41.

(*200)Authentically related by Abu Dawood.

(*201)As an expression of her joy and thankfullness for Allah's bounty in granting safe return to the beloved Prophet (upon whom be peace and blessings).

(*202)The slave was less restricted in her dress and manner than the free woman owing to her situation and the nature of her duties.

(*203)A vow made by a person must be fulfilled by him as long as the vow relates to a permissible act or deed, otherwise it is not to be carried out.

(*204)This indicated that although the act of singing and beating upon the daff is permissible on such an occasion, it is still preferable to desist from it, unless one has made a vow, in which case he is obligated to carry it out.

(*205)Authentically related by At-Tirmidhi and others.

(*206)The strongest proof indicated that the joyful singing of poetical verses accurred on both occasions; the Prophet's arrival at Madeenah during his flight (hijrah), and again upon his return from Tabook. For details, see Ar-Raheeq Al-Makhtoom, p. 193 and Rahmatan lil 'Aalameem, vol. 1, p. 106.

(*207)See, for example, Muntaqan Nuqool, p.329 and Ar-Raheeq Al-Makhtoom, p. 193.

(*208)The full moon (al-badr) alludes to the coming of Prophet Muhammad, whose arrival was like the light of the full moon, illuminating the dark world of ignorance so that the path to Allah could be easily followed.

(*209)A few mountain passes on the outskirts of Madeenah.

(*210)For safe arrival in Madeenah of the final guide to all mankind, Muhammad (upon whom be Allah's choicest blessings and peace), and consequently, for the bounty of Islam.

(*211)See Zaadul Ma'aad, vol. 3, p. 551.

(*212)Reported by Al-Bukhaari and Muslim.

(*213)Songs of this noble nature may by sung spontaneously. They need not be restricted to the above mentioned occasions specified by the texts of the sunnah. However, they should not be rigidly and habitually tied to certain dates or occasions such as before or after every Jumu'ah prayer. Such a regimented, habitual performance would then become a bid'ah, a blameworthy innovation in deen.

(*214)Such as the celebration of a birth (aqeedah) or circumcision (khitaan). In modern times they might add such things as a graduation ceremony, a promotion celebration and so on, endlessly.

(*215)See Al-Bardeesi's Usoolul Fiqh, p. 240.

(*216)That is, arrogant, ostentatious pride or haughtiness.

(*217)Authentically related by Imam Muslim. An-Nawawi relates that it means that if a Muslim had such a foul attribute, he would not enter Paradise without deserving a taste of the Fire; for pride, arrogance and haughtiness are of the gravest sins. See his Sharhu Saheeh Muslim, vol. 2, p. 91.

(*218)Holy war in defense of the Islamic faith, where Allah's word and deen are raised to the height, while the word of the disbelievers is lowered to the depths. Perhaps the wisdom of allowing one's strutting in pride during war and victory over the enemies of Islam lies in the fact that such pride and haughtiness is not done for personal reasons, but for the sake of Allah and pride in His faith and not for personal or national reasons.

(*219)Such as celebrating the naming of a newborn, circumcision ceremonies, etc.

(*220)In fact, it is impossible. For Allah, the Lawgiver, ensures that the texts of His divine law (shari'ah) reach mankind so that they may have direction in every aspect of their lives.

(*221)He would not prohibit them from singing and beating upon the drum, and his silence would thereby be taken as tacit approval by the people.

(*222)Such as those related by Al-Bayhaqi and others.

(*223)This critical information was supplied by the muhaddith, Muhammad Naasiruddeen Al-Albani, in a person letter to the author.

(*224)That is, on occasions other than those supported by an authentic text as has preceded in the section, entitled "Examples of Occasions Specified by the Sunnah."

(*225)From the collection of Ibn Abi Shaybah, entitled Al-Kitaab Al-Musannaf fil Ahaadeeth wal Aathaar.

(*226)One of the great taabi'een scholars, a judge and dependable narrator of hadeeth. He was one of the most avid disciples and companions of the sahaabi, Ibn Mas'ood. He died in the year 78 of the Hijrah.

(*227)The angels do not enter such a house if the daff is played at times other than weddings, 'Eed or other appropriate occasions as mentioned in the authentic sunnah.

(*228)The degree of this athar and the following one was verified by the muhaddith, Muhammad Naasiruddeen Al-Albaani, in a personal letter to the author.

(*229)A jurist and traditionist from the generation of the taabi'een. He died around 96 H.

(*230)They were playing with the dufoof as had probably become a common practice with them.

(*231)Authentically related by Ibn Abi Shaybah.

(*232)This point was stressed by the eminent mufti, Abdul-Azeez bin Baaz, during a personal discussion with the author.

(*233)Namely, singing, chanting of poetry or other innocent lyrics and the beating upon the daff.

(*234)At the time of the 'Eed festivals, wedding ceremonies, etc.

(*235)Singing, beating on the drum, etc. should be performed exactly in the manner indicated by authentic traditions, the details of which will follow in the next section.

(*236)Quoted from Fat-hul Baari, vol.2, p. 443.

(*237)Personal preference (istihsaan) is rejected, especially when it contradicts the specific texts of the divinely-revealed shari'ah or conflicts with general principles extracted from these sources.

SYNOPSIS OF PRECEDING SHAR'AH TEXTS ALONG WITH CONCLUSIONS TO BE DRAWN FROM THEM

MUSICAL INSTRUMENTS (MA'AAZIF)

The use of all musical instruments (*236) is forbidden. This ruling has been arrived at through an analysis of the texts of authentic hadeeths narrated by Al-Bukhaari and Ibn Maajah, in which the word al-ma'aazif (musical instruments) occurs. Since the wording of the text is general ('aammun), its directive encompasses all types of musical instruments except the daff, whose permissible use is a specification (takhsees) of the general text or an exception to the general ruling. These two texts are sufficiently clear proof which establish a general, all-encompassing prohibition. However, to remove the grounds for all possible specious arguments regarding this all-inclusive hukm (ruling). And in order to clarify it beyond a doubt, the shari'ah has conveyed a number of other texts which categorize the various possible types of musical instruments and prohibit them. The categories of musical instruments are as follows: (a) wind instruments, (*239) (b) string instruments, (*240) (c) percussion instruments (*241) and (d) a combination of two or more of the above. (*242)

The first category is represented by the previously-mentioned narrations of Al-Bayhaqi and Al-Haakim, wherein the terms mizmaar (flute) and mazaameerush Shaytaan (Satan's wind instruments) are mentioned respectively. The second category is indicated by one of Ahmad bin Hanbal's narrations wherein the word qinneen (lute) (*243) appears. The third category is epitomized by another tradition collected by Ahmad in which bothe the terms koobah and tablah (i.e. drums) are recorded. (*244)

At this point, some clarification regarding the daff (a type of drum and a percussion instrument) is necessary. Since its use is permissible only by virtue of its being an exception to the general rule of prohibition of musical instruments, certain stringent conditions are to be observed in reference to it, such as its size, shape and form, and the circumstances under which its use is permitted (as indicated by the texts wherein it is mentioned). As for the occasions upon which its use is permitted, a clear exposition has preceded in the first section of the previous chapter. Concerning the former two conditions, the daff should not exceed its general size as determined by common usage ('urf) (*245) and it should somewhat resemble the tambourine with the skin drawn tight on one side (*246) of the wooden frame; except that, by consensus of the scholars, (*247) it is to be devoid of the rattles (jallaajil) common to tambourines. These conditions are based on certain principles (*248) (qawaa'id) established in the science of usoolul fiqh. Thus, when there is an exception (istithnaa) to a general ruling (hukm), one is restricted to the exact conditions and circumstances relating to that exception, without exceeding the bounds set by the text which describes it. The following example from the shari'ah clarifies this point.

It is an established fact that wearing of silk clothing is generally prohibited for males. However, there are a few specific and limited exceptions to this ruling, among which is the permissibility of adding silk trim to the sleeves and hem of one's garment. The width of this band of silk trim is specified as a finger's length. (*249) Thus, one would not be allowed to increase this designated measure to say, two or three fingers' length. The condition of an exception to a general ruling of prohibition must be observed meticulously, since that exception is only allowed by virtue of those very specific and stringent conditions. By the same token, it would not be permissible to apply this specific exception

regarding silk (for males) to another prohibited material, say for example, garments made from pure golden threads. (*250) Although both silk garments and pure gold woven garments are prohibited for men, it would not be correct to say that a finger's width band of such gold trim may be applied to male garments just as a finger's width band of silk trim may be.

Along the same lines of reasoning illustrated in the above-mentioned example, it follows that another instrument appearing to be similar to the daff (since it is of the same name [drum] and category [percussion instrument]) cannot be used in its place. According to the rules ofusool, (*251) analogy (qeeyaas) cannot be made in the case of an exception (mustathna) to a general ruling. (*252) Rather, there must exist an original, established text (asl) on which analogy can be validly based. In this case, other drums (such as bongos or congas) cannot be used in place of thedaff because the original ruling (asl) regarding musical instruments in general, and percussion instruments in particular, is prohibition. The daff is an exception, bot the rule. And therefore, fails to meet the criterion required for sound, valid analogy.

It further warrants mentioning that the Prophet (upon whom be peace and blessings) designated the use of the daff and strongly encouraged it (*253) during the marriage feast. As was shown earlier, it was also allowed on various other occasions while other existing percussion instruments (such as the koobah, tabl and tablah) (*254) were not designated for use but rather were prohibited. The wisdom behind this precise restriction of instruments to the daff lies in the fact that it sufficiently satisfies the need for proclamation, provides moderate rhythm which enlivens, and results in joy for the partakers, At the same time, the drum's otherwise negative percussive potentials are muted and controlled in this particular instrument.

In concluding this issue, it must be stressed that it is one's duty to bring all thoughts and deeds into consonance with both the spirit and the letter of the divinely-revealed shari'ah. All musical instruments must necessarily fit into one or another of the three, previously-mentioned broad categories; otherwise, they constitute a combination thereof. As for instruments like the synthesizer or other electronic gadgets which simulate the sounds of conventional musical instruments, the ruling regarding them is precisely the ruling established regarding the instruments they imitate – namely, prohibition. The same ruling applies to the human voice if it is able to simulate an instrument from any one of the foregoing categories.

SINGING (GHINAA)

Preceding texts of the sunnah designated the general ruling of prohibition regarding singing under certain circumstances. The narration of Al-Haakim described the singing voice coupled with music as imbecilic and sinful. Naturally, singing to musical accompaniment is forbidden since it is coupled with music. (*255) As for innocent singing to the accompaniment of just the daff, this has been allowed on only specific occasions. (*256)

Singing without musical accompaniment is permitted under certain circumstances and with particular conditions. The lyrics of the songs must be pure and innocent, and must keep within the moral bounds set by Islamic teachings. Hence, lyrics which are erotic and licentious (*257) and/or sung in a licentious manner (*258) (which adversely affects the libidinous instincts of the listener) are undoubtedly forbidden. Moreover, even innocent songs become forbidden if they are performed in the presence of, or are coupled with, such prohibited acts as gambling, drinking and other deeds of moral

depravity. Singing by women is restricted to a female audience as the nature of a woman's (singing) voice is to excite sexual feeling in the male listener. Generally speaking, these songs should be pure and innocent although they need not be restricted to Islamic themes. They may express simple joys, wisdom, etc. They may be in praise of such attributes as courage, fearlessness and strength; or the lyrics may commemorate historical incidents such as battles against the enemy, etc. Among the best songs are those which encourage piety through good deeds done for the sake of Allah.

RELATED ISSUES PRODEEDING FROM THE GENERAL RULING OF PROHIBITION

DANCING:

Dancing to musical instruments is prohibited since that which is coupled with a prohibited thing becomes forbidden. As for dancing without music, or to the accompaniment of the daff only, such is restricted solely to women and children and is not befitting the role of males. The accomplished muhaddith and jurisprudent, Izzuddeen bun Abdis-Salaam, (*259) says in reference to men dancing, "As for dancing and handclapping in a light and frivolous manner resembling the frivolity of females, none would do it except the light-headed or affected ignoramus. The proof of his ignorance is that such a thing is not mentioned in texts of the shari'ah, the Quraan or sunnah; nor did any of the prophets of disciples do it. Rather, it is done by ignorant fools who have mistaken mere fancies for real truths. (*260) Scholars have prohibited clapping for men due to the Prophet's saying, 'Clapping is for women.'" (*262) At another place Izzuddeen bin Abdis-Salaam says, "Dancing is a bid'ah [blameworthy innovation]; none partakes of it except the foolish [who are short of sense], and it is bot befitting except for women." (*263)

It must be pointed out that even dancing by women has its conditions. No music other than that provided by the daff and the human voice is allowed. Women must be properly clothes (*264) and are restricted to the company of women and children only. Even in the presence of women, the female is prohibited from dancing licentiously (*265) and from using sexually arousing lyrics or manners. Hence, women's dancing should be a simple, natural rhythmic swaying free from very form of obvious or covert vice.

PROFESSIONS CONNECTED WITH MUSIC AND ITS ADJUNCTS:

It follows from what has preceded that the profession of music, singing, dancing and instrument making and selling are all forbidden. (*266) In an Islamic state such instruments may be seized (*267) from their owner and destroyed with recourse to indemnity.

THE MUSLIM'S DUTY REGARDING IT:

It is the duty of a Muslim that he avoid listening to music and singing in so far as it is within his power and jurisdiction (e.g. in his home, office, car, etc.). As for what he hears from his neighbor's yard, or when he passes through the streets or markets, that is not a sin upon him, (*268) nor is it his responsibility to try to stop it unless he has the power and authority to do so. He may advise such unfortunates in a gentle, admonishing tome, using wisdom and good convincing arguments so that perchance they may see the light and fear Allah.

In certain circumstances a person may be forced to hear music without the will or desire to do so, in

which case he is not to blame. For example, a person may require clothing or foodstuffs from a certain store or shopping center where music is constantly played over the public address system; or a person may sit at the television or radio in order to hear the news or to watch a certain documentary or otherwise useful film because of its educational benefits. Obviously, music and singing are often interspersed throughout such educational and informative audio-visual materials and cannot be avoided. So long as other similar materials devoid of music and singing are not available, it is permissible to use materials in which the music is merely incidental and not the sole object. However, it must be with the sole intention of deriving benefit from the information contained therein and not for the purpose of seeking pleasure in hearing the music. Needless to say, it is the duty of Muslim educators and Islamic institutions to develop audio-visual materials in all fields of education which fulfill the need of the Muslim ummah while remaining within the confines of the divinely-revealed shari'ah.

As for so-called "therapeutic purposes," such as listening to music in order to relax after a long, tense day at work or as a medium for "sensitivity" training session or as a stimulant for "creative writing" or anything else of that nature, the ruling is prohibition since music in such cases is an object in itself, and since there is not real necessity (daroorah) or even any need (haajah) for it.

THE VARYING GRAVITY OF THE SINFULNESS OF MUSIC AND SONG:

The gravity of the sinfulness of music and song varies widely according to its type, the way it is performed, by whom it is performed and under what circumstances it occurs. It is also conditioned by these variables. Thus, **{Every soul will be held in pledge for what it has earned.}**(*269)

SOME ACCEPTABLE ALTERNATIVES TO PROHIBITED FORMS OF MUSIC AND SONG

It is the duty of every Muslim to strive his utmost to find acceptable (lawful) alternative to the prohibited forms of music and song as delineated in the treatise. No doubt, for every unlawful thing there is a lawful alternative available. Some suggestions follow.

RECITATION OF AND LISTENING TO THE READING OF ALLAH'S BOOK:

Recitation of and listening to the reading of Allah's Book, so aptly described by the English translator of the Quraan, Muhammad M. Pickethall, is "that inimitable symphony, the very sounds of which move men to tears and ecstasy." (*270) In a number of authentic traditions, the Prophet (upon whom be peace and blessings) stressed that the Quraan was to be chanted or sung in a sweet and melodious voice:

Aby Hurayrah reported that Allah's Messenger said, "Whoever does not chant the Quraan isn ot one of us." (*271)

In another hadeeth it is reported:

Al-Baraa bin Aazib related that Allah's Messenger said, "Adorn the Quraan with your voices." (*272)

It is incumbent upon Muslims to learn how to recite Allah's Book in a beautifully sweet and melodious voice in consonance with the rules of tajweed, to constantly practice its reading and to

listen to others; for nothing like the Quraan uplifts the spirit and puts peace and tranquility in one's very heart and soul.

SINGING AND LISTENING TO ISLAMIC SONGS:

Islamic songs (anaasheed Islaamiyyah) contain moving lyrics which fire enthusiasm and desire for jihaad and encourage noble Islamic manners, morals and practice in all aspects of the Islam faith. There is presently a great surge of these anaasheed flooding the world of the Arab Muslim youth, and there is no reason why such inspiring songs should not be composed on various pertinent subjects by the enlightened western, English-speaking youths of today. (*273)

REMEMBRANCE OF ALLAH (DHIKR):

Some often claim that they listen to music occasionally in order to cool them down or to relax them. It is suggested that as believers, they habituate themselves to remembrance of Allah (dhikrullah) and to the mentioning of His praises (tasbeeh) as well as petitioning Him for forgiveness (istighfaar). The sunnah is replete with a myriad of adhkaar (formulas of repeated recitation). It is the remembrance of Allah which brings peace and tranquility to the human soul, not music which is fleeting and superficial. The glorious Quraan says, **{Yes, verily in the remembrance of Allah do hearts find tranquility.}** (*274)

HEALTHY PHYSICAL SPORTS:

One of the best alternatives to music and its attendant evils is the engagement in healthy physical sports which brings benefit by developing physical and mental acumen. The Prophet (upon whom be peace and blessings) has encouraged certain sports, among them swimming, horseback riding and the art of marksmanship. (*275) The martial arts is another important field for developing physical and mental prowess.

CONCLUSION

It is trusted that what has preceded constitutes for the reader a sufficiently explicit analysis and exposition of the Islamic ruling regarding music and song, leaving him/her with a perfectly clear understanding of this serious issue. It is hoped that many of the common misconceptions regarding music and song have been addressed and removed in a lucid, convincing manner, resulting in surety and tranquility for the reader's soul and conscience. I pray that this is {a plain statement to men, a guidance and instruction to those who, fearing Allah, ward off evil.} (*276)

THE END

Footnotes:

(*238)Except for the daff, the simple hand drum, which is allowed for use by women and children on specific occasions mentioned by the authentic sunnah. This has been clarified by a previous section of this work, entitled "Examples of Occasions Specified by the Sunnah."

(*239)Such as flutes, horns, trumpets, accordions, saxophones, trombones, etc.

(*240)Including guitars, violins, banjos, harps, sitars, lutes, basses, cellos, etc.

(*241)Such as gongs, cymbals, bass drums, bongos, congas, tambourines, etc.

(*242)For example, the piano, which combines percussion and string instrumentation.

(*243)A type of guitar common to Arab lands.

(*244)The complete text of these hadeeths has preceded in Arabic along with their translations in the second section of this study under the title, "Critical Analysis of the Hadeeth Literature."

(*245)Its size, according to common usage or custom ('urf), varies approximately between twenty and thirty-five centimeters in diameter for the skin. The width of the circular wooden frame upon which it is strung is about a finger's length. Exceeding this stipulated size would result in a louder sound, which in turn exceeds the instrument's basically limited percussion potentiality. Conversely, a much smaller size diminishes its basic sound capability, and thus, the objective of "announcing" the wedding feast through its sound would not be realized. As it is said, "The best of affairs are intermediate" - in the middle ground.

(*246)The term daff literally means the (one) side of a thing or its surface. For details, see Lisaanul Arab, vol. 9, pp 104-106.

(*247)See Kaffur Ra'aa, pp. 94-95.

(*248)These principles were mentioned in the previous section and are also applicable here.

(*249)The width of four finger clinched together (which is basically the same) according to various authentic narrations of Iman Al-Bukhaari, Abu Dawood and others. The actual finger's length varies according to each individual, but an average finger length of the middle finger (the longest one), is about 8-9 centimeters.

(*250)Threads made from minutely thin, but pure gold wires, woven together to make a garment.

(*251)See Al-Bardeesi's Usoolul Fiqh, p. 240 and Abdul-Qaadir Ataa's Haadha Halaal wa Haadha Haraam, p. 211.

(*252)Because by its very nature the exception (mustathna) differs from the original ruling to which it is an exception.

(*253)In preceding texts of the authenic sunnah.

(*254)The kooban is a drum with skin on bothsides. The tabl is similar except it is usually larger in size. And the tablah has skin only at the top, with a long, open, hollow base made from wood, metal or clay.

(*255)According to the principle that whatever is coupled with a prohibited thing becomes prohibited.

(*256)Such as the 'Eed festival, wedding celebrations, etc.

(*257)Such as those songs which describe sex, wine-drinking or any immoral subjects.

(*258)This occurs when the singer purposely manipulates his/her voice in a throbbing, titillating manner which arouses sexual passions.

(*259)One of the rare geniuses of the Islamic sciences, nicknamed "Sultanul Ulamaa" (the Monarch of Scholars). He definitely deserves this title. He was born in Damascus (577 H./1181 C.E.) and died in Cairo (660 H./1262 C.E.). For details, see Mu'jamul Muallifeen, vol. 5, pp. 249-250.

(*260)The immediate refernce inthis passage is to the practice of some Sufis who dance according to a certain method as a so-called "spiritual" exercise. However, what has been said here applies generally to all dancing by males regardless of whether it's done for pleasure or for "worship."

(*261)In variuos authentic traditions narrated by Al-Bukhaari, Muslim, et. al.

(*262)Quoted from Kaffur Ra'aa, p 73.

(*263)Quoted from the tafseer, Roohul Ma'aani, vol. 21, p. 71.

(*264)In loose clothing from above the chest to below the knee, at the very minimum.

(*265)Such as occurs during belly-dancing or various western dances such as soul, rock and funk.

(*266)Just as is the case of wine, whose drinking, production, sale and even carrying is forbidden.

(*267)By the proper authorities. See footnote no. 112.

(*268)Unless he listens to it with the intent to hear it and seek pleasure in it.

(*269)Soorah Al-Muddaththir, 74:38.

(*270)See his foreword to The Glorious Quran, p. 3.

(*271)Related by Iman Al-Bukkaari. The Quraan is to be melodiously chanted or sung, but not according to one's personal style dictated by fancy. The Quraan must be recited according to the rules of tajweed, the precise science which details the rules for Quraanic recitation. Notes are to be extended (al-madd) according to a certain number of beats; the letters noon and meem are melodiously held and their notes emphasized, etc. One is required to learn this method of recitiation.

(*272)Authentically related by Abu Dawood and Ahmad bin Hanbal.

(*273)I would certainly encourage the likes of Yoosuf Islam (the former Cat Stevens) and others to use this medium for Islamic revival and as a means for da'wah (invitation of non-Muslims to the path of Allah).

(*274)Soorah Ar-R'ad, 14:28.

(*275)Regardless of whether it be with crossbow, spear or firearms.

(*276)Soorah Aali-Imraan, 3:138.